

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1959

First Part

of Fifty-first Volume of Statutes at Large

(The Acts and Joint Resolutions of 1960 will
Constitute the Second Part)

PRINTED UNDER DIRECTION OF
LEWIE GRIFFITH MERRITT
CODE COMMISSIONER

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NOTICE

The following acts were passed during the 1959 regular session of the General Assembly but were vetoed by the Governor after the Legislature had adjourned *sine die*. These vetoes will not be considered until the General Assembly convenes for its 1960 session:

(R473, H1182) An Act Requiring A License Before Engaging In The Business Of The Cleaning Of Septic Tanks, Painting Of Roofs Or Applying Of Sidings To Buildings In Chester County, And To Provide A Penalty For Violations.

(R525, H1646) An Act Requiring A License Before Engaging In Certain Businesses And Services In Lancaster County And Providing A Penalty For Violations.

The regular session adjourned *sine die* May 22, 1959.

In the parentheses to the left of the permanent numbers are two numbers of which this is an example: (R28, H1150). The first number is preceded by R in every instance, and the second number by either H or S. The R indicates the Ratification Number of the act; the H the House Number as a Bill and the S the Senate Number as a Bill.

Also published herein are rules and regulations issued pursuant to general and permanent laws and which have been filed in the office of the Secretary of State.

LEWIE GRIFFITH MERRITT,
Code Commissioner.

Columbia, S. C.,
August, 1959.

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140. AN ACT To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1959; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; To Allow Certain Discretion To The Public Service Commission In Connection With License Fees For D, E And F Certificate Holders; To Require Payment To The General Fund Of The State By The South Carolina Public Service Authority During The Year 1959-60; To Impose An Additional Tax On The Sale Of Beer And Wine, And To Further Regulate The Sale Thereof, For The Fiscal Year 1959-60; To Impose An Additional Tax For The Fiscal Year 1959-60 On The Sale Of Tobacco Products And Other Commodities Presently Taxed Under Code Sections 65-702, 65-703, And 65-791; To Change The Tax Rate On Building And Loan And Like Associations For The Fiscal Year 1959-60; And To Enact As Permanent Laws Of The State Of South Carolina The Following Fiscal And Regulatory Measures: To Amend Code Sections 15-103 And 15-212 Relating To The Salaries Of Supreme Court Justices And Circuit Judges; To Amend Section 5-660, 5-676 And To Repeal Section 5-661, Code Of Laws Of 1952, So As To Change The License Fees On Coin-Operated Devices; To Amend Sections 65-801, 65-802, 65-811, 65-817 And 65-822, And To Repeal Sections 65-804, 65-812, 65-813, 65-814, 65-816, 65-818, And 65-831, Code Of Laws Of 1952, So As To Extend The Admissions Tax; To Amend Sections 65-1359, 65-1365, 65-1404, And Article 5, Of Chapter

- 15, Of Title 65, Code Of Laws Of 1952, So As To Impose A Tax On The Sale Of Electricity At Retail And On Certain Types Of Communications; To Further Amend Article 5, Of Chapter 15, Of Title 65, Code Of Laws Of 1952, So As To Extend The Application Of The Sales Tax To Laundries And Like Services; To Amend Section 65-1447, Code Of Laws Of 1952, So As To Change The Rate Of Discount Allowed On Remittances To The Tax Commission Of Sales Tax Collections; To Amend Section 65-716, Code Of Laws Of 1952, So As To Change The Rate Of Discount Allowed On The Purchase Of Business License Stamps; To Amend Section 65-259, Code Of Laws Of 1952, So As To Disallow Deduction Of Federal Taxes Paid In Computing The Income Tax Liability Of Certain Taxpayers; To Amend Section 65-221, Code Of Laws Of 1952, So As To Provide Additional Brackets In Computing The Income Tax Liability Of Certain Taxpayers; To Provide For A System Of Withholding State Income Taxes On Certain Classes Of Taxpayers; To Amend Sections 65-752, 65-754, 65-755, 65-756, And 65-757, Code Of Laws Of 1952, So As To Increase The Tax Rate On Fountain Soft Drinks Syrup; To Amend Section 65-735, Code Of Laws Of 1952, So As To Reduce The Discount Allowed On The Sale Of Beer And Wine Lids, Stamps And Crowns; To Amend Section 66-412, Code Of Laws Of 1952, So As To Provide For A Charge Of $\frac{1}{4}$ ¢ Per Gallon For Inspection, Testing, And Analyzing Petroleum Products And For Other State Purposes; To Amend Section 1-49, Code Of Laws Of 1952, So As To Authorize The Comptroller General To Make Deductions From The Salaries Of State Employees On Account Of Group Insurance Payments With Certain Limitations; And To Provide For The Issuance Of State Notes For The Purpose Of Providing Additional Facilities At The S. C. State Hospital And Whitten Village And Pledging Certain Revenues To The Payment Of Such Notes; And Further Relating To The Fiscal Affairs Of The State Of South Carolina.—P. 144.
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144. AN ACT To Amend Section 23-312, Code Of Laws Of South Carolina, 1952, As Amended, Providing That Candidates For National, State, Circuit Or County Offices Nominated By Primary Or Convention To Be Placed On Ballot Shall Be Certified At Least Sixty Days Prior To The Date Of The Election, And Providing That Candidates In Municipal Elections Shall Be Certified At Least Fifteen Days Prior To The Election, So As To Reduce The Time For Certification In The Case Of Candidates For County Offices To Twenty Days.—P. 285.
145. AN ACT To Amend Section 68-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Appropriation And Credit Of Funds To The State's Account In The Unemployment Trust Fund Pursuant To The Provisions Of Section 903 Of The Social Security Act, As Amended, So As To Make Further Provisions Therefor.—P. 286.
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147. AN ACT To Repeal So Much Of Section 4 Of Act No. 919 Of The Acts Of 1958, Relating To The Trapping Of Fur-Bearing Animals, Which Provides That The Provisions Of The Act Shall Not Apply To Laurens County, And To Provide That The Provisions Of The Act Shall Apply To Laurens County With The Open Season In This County Extending From December First To January Thirty-First Of The Following Year.—P. 288.

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149. AN ACT To Amend Section 3-602, Code Of Laws Of South Carolina, 1952, Relating To Unmixed Crushed Ear Corn As A Concentrated Commercial Feeding Stuff, So As To Delete Therefrom The Exception Which Provides That The Provisions Of Such Section Shall Not Apply To Manufacturers In This State If The Amount Of Corncobs Present Shall Not Exceed The Amount Derived From Crushing Or Grinding The Whole Ear Corn.—P. 290.
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167. AN ACT Providing For The Election Of The Mayor And Councilmen For The City Of Lancaster.—P. 305.
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170. AN ACT To Amend Sections 56-951, 56-952, 56-961, 56-963, 56-965, 56-967, 56-970, 56-985, 56-986, 56-994, 56-995, 56-1002, 56-1003, 56-1004, 56-1005, 56-1006 And 56-1016, Code Of Laws Of South Carolina, 1952, Relating To The Licensing Of Registered Nurses And Licensing Practical Nurses, So As To Further Provide For Same; To Change The Name Of The State Board Of Examination And Registration Of Nurses To The State Board Of Nursing And To Further Provide For Its Duties And Functions; To Authorize The Board To Promulgate Rules And Regulations And Fix Fees In Furtherance Of This Act; And To Repeal Sections 56-984, 56-1001, 56-1012 And 56-1015, Code Of Laws Of South Carolina, 1952.—P. 307.
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177. AN ACT To Amend Paragraph (2) Of Section 15-262, Code Of Laws Of South Carolina, 1952, Providing Terms Of Court In The First Judicial Circuit, So As To Delete Therefrom The Provision For A Term Of The Court Of Common Pleas For Dorchester County For The Third Monday In May.—P. 317.
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189. AN ACT To Regulate The Sale, Possession, Storage And Use Of Fireworks; To Provide A License Fee For Wholesalers And Retailers Selling Same; And To Provide A Penalty For Violating The Provisions Hereof And To Repeal Sections 66-551 Through 66-557, Code Of Laws Of South Carolina, 1952, Relating To Fireworks.—P. 333.

190. AN ACT To Amend Sections 14-1958 And 14-1959, Code Of Laws Of South Carolina, 1952, Relating To The Purchase And Advertisement For Purchase Of Supplies, Etc. For Florence County, So As To Make Further Provisions For Such Advertisement.—P. 337.
191. AN ACT To Amend Item (5) Of Section 38-308, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Compensation Of Jurors In Horry County, So As To Further Provide Therefor; To Provide For The Office Of Paymaster For Jurors And Witnesses In Horry County, For General Sessions Court Only; To Provide For The Compensation Of Witnesses In The Court Of General Sessions In Horry County; And To Provide For The Signing Of Certificates For Juror And Witness Fees In Horry County.—P. 339.
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193. AN ACT To Amend Section 47-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election Of The Mayor And Councilmen Of The City Of Cayce, So As To Further Provide Therefor.—P. 341.
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195. AN ACT To Amend Act No. 47 Of 1955 Requiring Building Permits In Beaufort County, So As To Further Extend Such Requirements.—P. 343.
196. AN ACT To Provide That Certain Confidential Communications Made To Ministers, Priests Or Rabbis Shall Be Privileged Communications.—P. 344.
197. AN ACT To Amend Section 10-2551, Code Of Laws Of South Carolina, 1952, Relating To Payment Of Money Due Minors, So As To Provide For Payment Due Other Incompetents.—P. 344.
198. AN ACT To Amend Section 2 Of Act No. 774 Of The Acts Of 1958, Which Requires The Forfeited Land Commission In Colleton County To Give Notice Of Certain Sales, So As To Authorize The Commission To Sell Lands To Any Governmental Agency Of South Carolina, Or Any Industrial Or Commercial Enterprise Recommended By The Colleton County Development Board, Without Giving Any Notice.—P. 345.
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201. AN ACT To Amend Sections 65-1644 And 65-2702, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Returns Of Property, So As To Make The Provisions Thereof Applicable To Real And Personal Property And To Change The Date Such Property Must Be Owned Or Controlled By The Person Making The Return; And To Change The Date Upon Which First Liens Shall Attach To Real And Personal Property For Taxes To Be Paid During The Ensuing Year.—P. 351.
202. AN ACT Requiring Vital Statistics Reports In Colleton County, Now Filed In The Clerk Of Court's Office, To Be Hereafter Filed With The County Health Department.—P. 353.

203. AN ACT To Amend Act No. 783 Of The Acts And Joint Resolutions Of 1956, Relating To The Election Of Trustees Of School Districts In Barnwell County, So As To Remove The Exclusion Of The Williston District Therefrom.—P. 353.
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206. AN ACT Exempting From Taxation The Property Of The Trustees Of Pee Dee Presbytery, In Marlboro County, So Long As The Same Is Used For Camp And Religious Purposes.—P. 356.
207. AN ACT To Amend Act No. 836 Of 1952, As Amended, Relating To The Hospitalization Of The Mentally Ill, So As To Further Define The Powers And Duties Of The Mental Health Commission.—P. 356.
208. AN ACT To Amend Section 65-601, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Annual Reports By Certain Corporations To The South Carolina Tax Commission, So As To Make The Provisions Thereof Applicable To All Corporations Organized To Do Business For Profit In This State And All Corporations Organized To Do Business In Other States, Territories And Countries.—P. 357.
209. AN ACT To Amend Sections 1 And 2 Of Act No. 259 Of The Acts Of 1957, Relating To Temporary Fishing Licenses For Non-Residents, So As To Increase The Cost And The Period Of Time For Which Same May Be Used.—P. 358.
210. AN ACT To Amend Act No. 640 Of The Acts Of 1954, Relating To Fishing And Hunting In The Clarks Hill Area In Game Zone No. 2, So As To Permit The Use Of Traps, Seines And Nets In Certain Waters.—P. 359.
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213. AN ACT To Amend Section 1 Of Act No. 633 Of 1954, Relating To The Board Of Assessors For Abbeville County, So As To Reduce The Membership Of Such Board.—P. 360.
214. AN ACT To Amend Act No. 895 Of 1958 Designating Jackfish As Nongame Fish In Game Zone 7, So As To Provide That Pike Also Shall Be Considered As Nongame Fish In Game Zone No. 7.—P. 361.
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216. AN ACT Making It A Felony To Blow Up Or Damage Any Church, School, Private Residence, Or Any Other Building With The Use Of Certain Explosives, Or To Communicate Threats Or Knowingly Communicate False Information Relating Thereto, And To Provide A Penalty Therefor.—P. 362.

217. AN ACT To Amend Act No. 731 Of 1958, Relating To The Determination, Allocation And Apportionment Of Income For Tax Purposes, The Imposition Of An Income Tax For All Corporations Doing Business In The State And A Certain Credit For Income Tax Paid To Other States, So As To Further Provide Therefor, And To Amend Section 65-604, Code Of Laws Of South Carolina, 1952, As Amended, Relating To An Annual License Fee On All Corporations, So As To Further Provide Therefor.—P. 363.
218. AN ACT To Amend Act No. 770 Of The Acts Of 1958, Relating To A Tax Study Commission, So As To Delete The Requirement That The Executive Secretary Or General Counsel Of Such Commission Shall Devote Full Time To The Work Of The Commission; To Delete The Provision Relating To The Salary Of Such Person; To Provide For The Payment Of The Expenses Of The Commission; And To Provide An Appropriation Therefor.—P. 369.
219. AN ACT To Prohibit The Erecting Or The Creating Of A Nuisance Within A Quarter Of A Mile Of A Church Or Public Park In Chester County.—P. 370.
220. AN ACT To Amend Act No. 610 Of The Acts Of 1954, As Amended, Providing Supplemental Allowances For Certain Members Of The South Carolina Retirement System, So As To Make Further Provisions For Such Members.—P. 370.
221. AN ACT To Provide For Accountings By Committees Of Mentally Ill Or Deficient Persons And To Amend Act No. 836 Of 1952, As Amended, Relating To The Mentally Ill Or Deficient, So As To Further Provide Therefor.—P. 371.
222. AN ACT To Amend Section 28-331, Code Of Laws Of South Carolina, 1952, Relating To Open Seasons, So As To Provide For Open Seasons For The Hunting Of Squirrels.—P. 373.
223. AN ACT To Create A Planning And Development Board For Greenville County And To Provide For Its Membership, Powers And Duties.—P. 373.
224. AN ACT To Amend Subsection 3 Of Section 58-101, Code Of Laws Of South Carolina, 1952, Relating To The Term "Public Utility" So As To Include Therein Sewerage Collection And Sewerage Disposal.—P. 375.
225. AN ACT To Provide For Nominee Registration Of Securities Held By Banks, Trust Companies And Other Corporate Fiduciaries.—P. 376.
226. AN ACT To Amend Section 67-58, Code Of Laws Of South Carolina, 1952, So As To Enlarge The Right Of Fiduciaries To Invest In Bonds, Debentures, Notes, And Other Obligations Of Corporations Domiciled In Any State In The United States.—P. 378.
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228. AN ACT To Provide For The Appointment Of A Committee Of Certain Persons With Personal Estates Of One Thousand Dollars Or Less And To Provide For Committee Fees.—P. 381.
229. AN ACT Requiring A License And Bond Of All Persons Before Engaging In The Business Of The Cleaning Of Septic Tanks, Painting Of Roofs, Applying Of Sidings To Buildings Or Pest Control Or Extermination In Edgefield County And To Provide A Penalty For Violations.—P. 382.
230. AN ACT To Amend Act No. 154 Of 1955, Relating To A Council-Manager Form Of Government For Cities Which By The 1950 United States Census Have Not Less Than Seven Thousand Inhabitants Nor More Than Twelve Thousand Inhabitants, So As To Provide For A Council-Manager Form Of Government For Any City Which Has Such Number Of Inhabitants According To The Most Recent Official United States Census.—P. 383.

231. AN ACT To Amend Sections 65-1102, 65-1105, 65-1106, And 65-1108, Code of Laws Of South Carolina, 1952, Relating To Refund Of Tax On Gasoline Used In Farm Operations And Watercraft, So As To Further Provide Therefor.—P. 384.
232. AN ACT Requiring A License and Bond Before Engaging In The Business Of Cleaning Septic Tanks, Painting Roofs, Applying Sidings To Buildings, Or Of Exterminating Or Treating Property Of Others For Or Against Insects And Other Pests In Marion County; And To Provide A Penalty For Violations.—P. 386.
233. AN ACT Requiring A License And Bond Before Engaging In The Business Of Selling Vocational Training Courses In Marion County And To Provide A Penalty For Violations.—P. 386.
234. AN ACT To Amend Act No. 200 Of 1957, Relating To Permits For Excavations Across Roads In Greenville County, So As To Provide Penalties For Violations Thereof.—P. 387.
235. AN ACT To Amend Act No. 360 Of The Acts Of 1957, As Amended, Relating To Shooting Preserves(So As To Provide An Open Season For Shooting Preserves In Game Zone No. 1 On All Types Of Pen Raised Game.—P. 388.
236. AN ACT To Provide For The Open Season For Hunting Bear In Game Zone I And To Provide A Penalty For Violating The Provisions Hereof.—P. 389.
237. AN ACT To Exempt The Property Of The Hartsville Masonic Lodge Located On Home Avenue In Hartsville, Darlington County, From Taxation.—P. 389.
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239. AN ACT Authorizing The Sheriff Of Any County To Sell At Public Auction Certain Abandoned And Recovered Stolen Property And To Provide For A Claim By The True Owner If Made Within One Year From Sale.—P. 390.
240. AN ACT To Amend Sections 46-35, 46-75, 46-103, 46-665, 58-1438, And 58-1439, Code of Laws Of South Carolina, 1952, Relating To Registering, Licensing And Transferring Certain Licenses For Certain Vehicles, So As To Further Provide For The Registering, Licensing And Transferring Such Vehicles, And To Repeal Section 46-63 Of The Code Of Laws Of South Carolina, 1952, Relating To The Prohibition Against Transferring Of Licenses To Other Vehicles.—P. 391.
241. AN ACT To Authorize The South Carolina Highway Department, In Its Discretion, To Provide Access Facilities To Any State Highway From Any Public Small Boat Landing On Or Adjacent To Any Right Of Way Of The Department, Under Agreement With Any County Of This State Upon Condition That The Landing Shall Be Constructed And Maintained By The County; And To Provide That Persons Using Such Facilities Shall Do So At Their Own Risk, The Immunity Of The State Of South Carolina, The South Carolina Highway Department And The Counties Being Expressly Reserved.—P. 396.
242. AN ACT To Provide Interest On Delinquent Taxes After Executions Have Been Issued In Horry County.—P. 397.
243. AN ACT To Declare The Area Known As Windy Hill Beach In Horry County A Bird Sanctuary, And To Provide Penalties.—P. 398.
244. AN ACT Abolishing The Board Of Education Of Saluda County And Devolving Its Duties Upon A Board Of Trustees And Dividing The County Into Voting Areas And Providing For Advisory Elections.—P. 398.

245. AN ACT Authorizing The Judge Of Probate For Chesterfield County To Appoint A Deputy Judge Of Probate.—P. 402.
246. AN ACT To Amend Section 32-1515, Code Of Laws Of South Carolina, 1952, Relating To Adulteration Of Nonalcoholic Drinks, So As To Further Define Adulteration.—P. 403.
247. AN ACT To Amend Section 65-1832, Code Of Laws Of South Carolina, 1952, As Amended, Providing For A County Board Of Tax Assessors For Marlboro County, Its Powers And Duties, So As To Further Provide Therefor; And To Repeal Section 65-1833, Code Of Laws Of South Carolina, 1952, Providing For An Executive Secretary And Assistant Tax Assessors.—P. 404.
248. AN ACT To Amend Act No. 431 Of The Acts Of 1957, Relating To The Florence County Industrial Loan And Development Commission, So As To Change The Provisions For A Secretary To The Commission.—P. 405.
249. AN ACT To Increase The Number Of Petit Jurors In Cherokee County.—P. 407.
250. AN ACT To Provide For Compensation Of Jurors In Magistrates' Courts In Cherokee County.—P. 407.
251. AN ACT To Create A County Board Of Tax Assessors In Edgefield County And The Edgefield County Tax Board Of Appeals And To Provide For The Powers And Duties Of Such Boards.—P. 408.
252. AN ACT To Amend Section 10-451, Code Of Laws Of South Carolina, 1952, Relating To Service Of Process In Adoption Proceedings, So As To Provide For Service On Nonresidents.—P. 409.
253. AN ACT To Provide For The Regulation Of The Ownership And Operation Of Boats And Related Equipment On The Waters Of This State; To Provide Penalties For Violations; To Establish The Division Of Boating Within The Wildlife Resources Department; To Make Appropriation For Such Establishment; To Prohibit Local Regulations In Conflict With This Act; And To Repeal Act No. 209 Of The Acts Of 1955 And Act No. 111 Of The Acts Of 1957, Relating To The Operation Of Boats On The Public Waters Of This State; To Provide For Future Expenditures And To Provide For Certain Approvals By The Budget And Control Board.—P. 409.
254. AN ACT To Amend Section 46-42, 46-91, As Amended, And 46-93, Code of Laws Of South Carolina, 1952, Relating To Motor Vehicle Dealers' Licenses And Dealer Demonstration License Plates, So As To Revise The Fee For Motor Vehicle Dealers' Licenses And Dealer Demonstration License Plates And Further Provide For Use Of Dealer Demonstration Plates.—P. 419.
255. AN ACT To Amend Chapter 2 Of Title 46, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Law On Licenses To Drive Motor Vehicles, So As To Further Provide Therefor.—P. 421.
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257. AN ACT To Amend Section 14-468, Code Of Laws Of South Carolina, 1952, Relating To The Borrowing Of Money By Spartanburg County, So As To Increase The Amount Of Money Such County May Borrow From Three Hundred Fifty Thousand Dollars To Eight Hundred Thousand Dollars.—P. 438.

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268. AN ACT To Amend Section 27-78, Code Of Laws Of South Carolina, 1952, Relating To Fees Charged By The Clerk Of Court In Chester County, So As To Increase Said Fees And Make Provisions For Additional Fees And To Provide That The Judge Of Probate Shall Charge Two Dollars When Taking An Application For A Marriage License Instead Of Collecting Same When The License Is Issued.—P. 494.
269. AN ACT To Change The Name Of The Chester County Board Of Equalization To The Chester County Board Of Equalization And Assessment Control; To Devolve On Such Board The Duties And Powers Previously Exercised By Township Boards Of Assessors In Chester County; To Provide For The Appointment, Compensation And Duties Of A Tax Appraiser For Chester County; And To Provide For A Property Tax Assessment Manual.—P. 496.
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492. AN ACT To Provide For The Operation Of Orangeburg County And The Welfare Of Its People During The Period From July 1, 1959, To June 30, 1960; To Direct County Activities; And To Levy Taxes For School Purposes And To Regulate Expenditures Of School And County Funds During The Period.—P. 1188.
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494. AN ACT To Confirm And Ratify The Actions Of The Board Of Trustees Of Pickens County School District A And The Treasurer Of Pickens County, Relating To The Loan Procured From The Division Of Sinking Funds And Property.—P. 1200.
495. AN ACT To Amend Act No. 1163 Of The Acts Of 1958, Relating To The Liberty-Norris-Central Water District In Pickens County, So As To Include Catechee And To Change The Name To Catechee-Central-Liberty-Norris Water District, And To Increase The Membership Of The Commission.—P. 1200.
496. AN ACT To Repeal Act No. 556 Of 1955 Which Created The Catechee Water And Sewer District In Pickens County.—P. 1204.
497. AN ACT To Repeal Act No. 1161 Of The Acts And Joint Resolutions Of 1958, Creating The Easley-Liberty-Pickens Water District In Pickens County.—P. 1204.
498. AN ACT To Amend Act No. 1163 Of The Acts Of 1958, Relating To The Liberty-Norris-Central Water District In Pickens County, So As To Extend Its Boundaries And To Change The Name To Easley-Central Water District, To Increase The Membership Of The Commission, To Increase The Amount Of Bonds Authorized To Be Issued And To Repeal An Act Of The General Assembly Of 1959 Bearing Ratification No. 315.—P. 1204.
499. AN ACT To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Direct The Expenditure Thereof.—P. 1208.
500. AN ACT To Authorize And Empower The Board Of Trustees Of School District No. 2, Richland County, To Issue General Obligation Bonds Of School District No. 2, Richland County, In An Amount Not Exceeding Twenty-Four Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which Said Bonds May Be Issued And Their Proceeds Expended; And To Make Provision For The Payment Of The Same.—P. 1219.

501. AN ACT To Authorize The School Commissioners Of School District No. 1, Richland County, To Issue Not Exceeding One And One-Half Million Dollars Of General Obligation Bonds Of School District No. 1, Richland County, To Prescribe The Conditions Under Which Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.—P. 1222.
502. AN ACT To Re-Enact Act No. 638 Of 1951, Relating To The Maintenance, Operation, Management And Improvements Of The Columbia Hospital Of Richland County, And To Amend Section 6 Thereof, Relating To The Medical Staff Of Such Hospital, So As To Provide That The Medical Staff Shall Become The Medical And Dental Staff And To Make Any Member Of The Richland County Dental Association And Any Member Of The Columbia Dental Society Eligible To Become A Member Of The Medical And Dental Staff Of Such Hospital.—P. 1224.
503. AN ACT To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1959-1960 And To Direct The Expenditures Thereof.—P. 1228.
504. AN ACT To Validate The Ordinance Authorizing The Annexation Of A Certain Area, Now Entirely Owned By The Ridge Spring Sportswear Company, Inc. To The Town Limits Of The Town Of Ridge Spring.—P. 1259.
505. AN ACT To Authorize The Establishment Of A School Sinking Fund In Saluda County From Certain Surplus Funds On Hand, And To Provide For The Expenditure Thereof.—P. 1260.
506. AN ACT To Provide For The Levy Of Taxes For Ordinary County And School Purposes, For A Period Of Twelve Months, Beginning July 1, 1959, And Ending June 30, 1960, Both Inclusive, For Saluda County, To Provide For The Expenditure Thereof, And To Provide For The Rental Of Certain County Properties.—P. 1261.
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508. AN ACT To Amend Act No. 1196 Of The Acts Of 1958, Relating To A Board Of Fire Control For The Roebuck Area In Spartanburg County, So As To Provide For The Borrowing Of Twenty Thousand Dollars In The Discretion Of The Board.—P. 1271.
509. AN ACT To Amend Act No. 1193 Of The Acts Of 1958, Entitled "An Act To Authorize Spartanburg County To Issue And Sell Bonds In The Amount Of One Hundred Thousand Dollars, Provided Such Sum Is Matched By The Federal Government Pursuant To The Hill-Burton Act, The Proceeds Of Which Shall Be Used For The Expansion And Construction Of Health Centers In The County; To Provide The Terms Of The Bonds And To Provide A Tax Levy For The Payment Thereof.", Approved April 28, 1958, So As To More Particularly Prescribe The Conditions On Which The Bonds May Be Issued.—P. 1272.
510. AN ACT To Amend Act No. 1194 Of The Acts And Joint Resolutions Of The General Assembly Of 1958, Relating To The Fiscal Affairs Of Spartanburg County And Making Appropriations Therefor, So As To Authorize The Board Of Trustees Of The Spartanburg General Hospital To Pay The Radiologist An Annual Salary In Lieu Of The Present Provisions.—P. 1273.
511. AN ACT To Amend Act No. 1195 Of The Acts Of 1958, Relating To A Board Of Fire Control For The West View-Fairforest Fire District In Spartanburg County, So As To Provide For The Borrowing Of Thirty Thousand Dollars In The Discretion Of The Board.—P. 1273.

512. AN ACT To Amend Section 1 Of Act No. 1180 Of 1958 Relating To A Bond Issue For The Construction Of A Spartanburg County Library, So As To Increase The Amount Of Such Bond Issue From Three Hundred Nineteen Thousand Dollars To Five Hundred Sixty Thousand Dollars.—P. 1274.
513. AN ACT To Confirm The Right Of Una Water District Commission Of Spartanburg County To Issue Five Hundred Thousand Dollars Of General Obligation Bonds Of Una Water District And To Further Prescribe The Use Of The Proceeds Thereof.—P. 1275.
514. AN ACT To Set Aside For The Use, Benefit And Enjoyment Of The Spartanburg County Tuberculosis Hospital A Certain Portion Of The Spartanburg County Farm Property; To Remove Such Tract Of Land From The Property Being Studied Pursuant To Joint Resolution No. 672 Of The Acts Of 1957; And To Direct The Spartanburg County Planning And Development Commission To Convey A Part Thereof To The County Board Of Spartanburg County.—P. 1276.
515. AN ACT To Amend Act No. 1180 Of The Acts Of 1958, As Amended, Relating To The Issuance And Use Of Bonds For The Construction Of A Spartanburg County Library, So As To Further Provide For Such Issuance And Use.—P. 1278.
516. AN ACT To Empower Certain Special Purpose Districts In Spartanburg County To Accept Donations Of Water Mains Within Or Without Such Districts, And To Prescribe The Conditions Under Which Such Districts May Sell Water Therefrom.—P. 1279
517. AN ACT To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1958-1959 From The General Fund Of The County; To Validate A Loan Made To Cowpens Water District And To Reimburse The General Fund From Proceeds Derived From The Sale Of Bonds Of The Water District.—P. 1280.
518. AN ACT To Amend Act No. 1189 Of The Acts Of 1958, Relating To The Board Of Fire Control For The Boiling Springs Area In Spartanburg County, So As To Provide For The Borrowing Of Fifteen Thousand Dollars.—P. 1282.
519. AN ACT To Provide Compensation For Commissioners Of Certain Water Districts In Spartanburg County.—P. 1282.
520. AN ACT To Authorize The County Board Of Spartanburg County To Sell Or Dispose Of That Property Of The County Known As The County Farm.—P. 1283.
521. AN ACT To Amend Act No. 939 Of The Acts And Joint Resolutions Of The General Assembly Of 1954, As Amended By Act No. 579 Of 1955, Relating To The Inman-Campobello Water District, So As To Further Define The Area Of The Inman-Campobello Water District And That Of Spartanburg Metropolitan Sub-District B.—P. 1283.
522. A JOINT RESOLUTION To Provide For A Referendum In Spartanburg County To Determine The Wishes Of The Qualified Electors On The Questions Of Repealing Certain Prohibitions Against Certain Activities On Sunday And To Determine Whether Such Electors Wish Legislation To Be Enacted Permitting Certain Activities On Sunday During Certain Hours.—P. 1285.
523. AN ACT Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1960.—P. 1287.
524. AN ACT To Extend The Terms Of Office Of The Members Of The Woodruff-Roebuck Water District Commission In Spartanburg County; To Provide For The Election Of Commissioners Of Such District; To Set Forth The Procedure To Be Followed In The Event Twenty Per Cent Of The Electors Within Such District Petition For An Election; And To Designate The Areas Within The District Wherein The Members Shall Reside.—P. 1312.

525. AN ACT To Authorize The County Board Of Spartanburg County To Issue Not Exceeding Two Hundred Ten Thousand Dollars Of Bonds Of Spartanburg County For The Purchase Of Stone, Asphalt, Culverts, Other Road And Bridge Materials And For The Payment Of Labor Costs Incident To The Use Of Such Materials; To Direct The Manner In Which The Bonds Shall Be Sold And The Proceeds Thereof Shall Be Expended; And To Provide For The Payment Thereof.—P. 1313.
526. AN ACT To Authorize Sumter County To Sell Certain Property.—P. 1317.
527. AN ACT To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1959; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.—P. 1318.
528. AN ACT To Make A Supplemental Appropriation From The General Fund Of Union County To Provide Lighting Facilities For The Union Recreation Park Commission Stadium.—P. 1330.
529. AN ACT To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Thirty-Five Thousand Five Hundred Dollars, And Certain Other Obligations Amounting To Thirty-Nine Thousand Five Hundred Dollars, And To Authorize The Governing Board Of Union County To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Union County For The Payment Of Such Obligations.—P. 1330.
530. AN ACT To Amend Act No. 1204 Of The Acts Of 1958, Authorizing The State Highway Department To Construct Certain Roads In The City Of Union And Immediate Vicinity, So As To Add Thereto Authority To Construct An Additional Road In The City Of Union.—P. 1332.
531. AN ACT To Authorize And Empower The Lockhart School District Health Commission In Lockhart School District In Union County And The Treasurer Of Union County To Borrow Not Exceeding Twelve Thousand Dollars For Health And Hospital Purposes And To Provide For Its Payment.—P. 1333.
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533. AN ACT To Amend An Act Entitled, "An Act To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Thirty-Five Thousand Five Hundred Dollars, And Certain Other Obligations Amounting To Thirty-Nine Thousand Five Hundred Dollars, And To Authorize The Governing Board Of Union County To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Union County For The Payment Of Such Obligations", Approved February 25, 1959, By Providing That Noncallable Bonds May Be Issued Pursuant Thereto.—P. 1335.
534. AN ACT To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.—P. 1337.
535. A JOINT RESOLUTION To Provide For A Tax Collector And Investigator, And For A Clerk As Assistant To The Tax Collector And Investigator In Union County; To Provide For Their Appointment And Removal; To Prescribe Their Terms Of Office, Duties And Compensation; To Provide For The Enforcement Of The Collection Of Delinquent Taxes In The County And The Payment Of The Costs Of Such Collection, And For Other Allied And Related Purposes In The Matter Of The Collection Of Delinquent Taxes And Payment Of The Costs Thereof In The County.—P. 1354.
536. AN ACT To Authorize And Direct The Treasurer Of Williamsburg County To Pay The Sum Of One Thousand Dollars From The General Fund Of The County To The Long Branch Drainage District.—P. 1358.

537. AN ACT To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Provide And Direct The Expenditure Thereof.—P. 1359.
538. AN ACT To Validate All Disbursements, Expenditures And Actions Authorized By The Williamsburg County Legislative Delegation During The Fiscal Year 1958-1959.—P. 1365.
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540. AN ACT To Create A Historical Commission For York County.—P. 1367.
541. AN ACT To Empower The County Supervisor And The County Board Of Directors Of York County To Issue Not Exceeding One Million Dollars Of General Obligation Bonds Of York County To Provide Further Hospital Facilities In The County If The Election Herein Required Shall Result Favorably, To Prescribe The Conditions Under Which The Bonds Shall Be Issued And To Make Provision For Their Payment.—P. 1368.
542. AN ACT Authorizing The Treasurer Of York County To Transfer Surplus Funds, Raised To Pay Off A Loan, To The General Fund Of York County.—P. 1372.
543. AN ACT Making Supplemental Appropriations For York County For The Fiscal Year 1958-59.—P. 1373.
544. AN ACT Authorizing The Auditor And Treasurer Of York County To Continue The Special One Mill Levy For The Purpose Of Retiring The Indebtedness Of The Board Of Trustees Of The York County Hospital.—P. 1374.
545. AN ACT To Empower The Town Council Of The Town Of Fort Mill To Refund Immediately All Of Its Outstanding Sewer System Revenue Bonds As A Part Of An Issue Of Revenue Bonds Issued Pursuant To Chapter 5, Title 59, Code Of Laws Of South Carolina, 1952, As Amended.—P. 1374.
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547. AN ACT Transferring The Sum Of Three Thousand Dollars From The General Fund Of York County To The Contingent Fund Of The County.—P. 1377.
548. AN ACT To Authorize And Direct The Peoples National Bank Of Rock Hill, S. C., And The Rock Hill National Bank Of Rock Hill, S. C., To Transfer Certain Funds Held In The Names Of Certain Former County Officers To The Treasurer Of York County For Further Handling.—P. 1377.
549. AN ACT To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.—P. 1378.

ACTS
AND
JOINT RESOLUTIONS
OF THE
General Assembly
OF THE
State of South Carolina

ERNEST F. HOLLINGS, Governor; BURNET R. MAYBANK, Lieutenant Governor and ex officio President of Senate; EDGAR A. BROWN, President pro tempore of Senate; SOLOMON BLATT, Speaker of House of Representatives; REX L. CARTER, Speaker pro tempore of House of Representatives; L. O. THOMAS, Clerk of the Senate; INEZ WATSON, Clerk of House of Representatives.

Passed at the regular session, which was begun and held at the city of Columbia on the 13th day of January, A. D. 1959
and was adjourned sine die on the 22nd day of
May, A. D., 1959

PART I
GENERAL AND PERMANENT LAWS

(R1119, S676 of 1958)

No. 1

**An Act To Further Regulate Trawling For Shrimp Or Crabs
Opposite The Ocean Beaches Of Hilton Head And Hunting Is-**

lands In Beaufort County, To Prohibit Commercial Trawling For Shrimp On Sunday In Beaufort County And To Provide Penalties For Violations.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Unlawful to trawl for shrimp or crabs in certain areas during certain periods.—From May fifteenth through September thirtieth of any year it shall be unlawful to trawl for shrimp or crabs within one-quarter mile of the shores of the ocean beaches of Hilton Head Island and Hunting Island in Beaufort County. This section shall not apply to that portion of Hilton Head Island seaward from and opposite the land presently owned by the Hilton Head Agricultural Corporation.

The Division of Fisheries shall place a stake or piling, and attach to it a sign at least two feet by three feet in size and painted white, at the highwater mark at each end of the areas in which trawling is restricted by this section.

SECTION 2. Act 403 of 1957 not applicable to Hilton Head Island.—The provisions of Act No. 403, Acts of 1957, shall not apply to Hilton Head Island in Beaufort County.

SECTION 3. Commercial trawling for shrimp on Sunday unlawful in Beaufort County.—Commercial trawling for shrimp in Beaufort County on Sunday shall be unlawful.

SECTION 4. Penalties.—Anyone violating the provisions of Section 1 or 3 of this act shall upon conviction be subject to imprisonment of not exceeding thirty days or a fine of not exceeding one hundred dollars.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of May, 1958.

tries In Oconee County, So As To Provide Such Exemptions For Certain Research And Development Facilities.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1567, 1952 Code, amended—tax exemptions for certain industries in Oconee County.—Section 65-1567, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1567. Any person who erects or makes improvements to any manufacturing plant, any facility devoted to agricultural, industrial or medical research and development, or freezer locker or other plant for the preservation or storage of meat, fruits or vegetables situate in Oconee County at a cost of twenty-five thousand dollars or more is exempt from the payment of all county and local taxes on such plant or such improvements for a period of five years from the date of the beginning of the erection or improvement of any such manufacturing plant, or research and development facility. When the expenditure is for the improvement or addition to such manufacturing plant or research and development facility the exemption is confined to the increase of the taxable value of the property arising from such improvement.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of January, 1959.

(R7, H1013)

No. 3

An Act To Authorize The Clerk Of Court Of Pickens County To Dispose Of Records Of Chattel Mortgages Which Are More Than Ten Years Old.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County Clerk of Court may destroy certain records.—The Clerk of Court of Pickens County shall dispose of all of the records of chattel mortgages which are more than ten years old in order that space now occupied by such mortgages may be utilized for other purposes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1959.

(R10, H1056)

No. 4

An Act To Authorize The Clerk Of Court Of Florence County To Destroy Certain Records.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence County Clerk of Court may destroy certain records.—The Clerk of Court of Florence County is authorized to destroy the record of chattel mortgages more than seven years old, except those which have been renewed of record by refileing and reindexing during the past three years, as authorized by Section 60-306, Code of Laws of South Carolina, 1952, and except such mortgages executed by any public service corporation or given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1959.

(R13, S8)

No. 5

An Act To Authorize The Probate Judge Of Laurens County To Remove Certain Records From His Office And To Store The Same Elsewhere In The Courthouse.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Laurens County Judge of Probate may transfer certain records.—The Probate Judge of Laurens County is authorized

to remove from the vault in his office any antiquated records except original marriage licenses, original estate administration records and recorded current records and such other antiquated records as in his judgment may not materially affect the rights of any citizen. These records shall be stored in such other available space in the courthouse as may be provided by the custodian of the Laurens County Courthouse.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1959.

(R14, S23)

No. 6

An Act To Provide For Trustees Of School Districts Nos. 55 And 56 In Laurens County, To Provide For Their Appointment Or Election, And To Repeal Act No. 907 Of The Acts Of 1956.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Trustees for Laurens County School District 55—number—areas.—The board of trustees of School District No. 55 of Laurens County shall be composed of seven members, six of whom shall reside in the following attendance areas: two in the Laurens Attendance Area, one each in the Ford, Gray Court-Owings, Hickory Tavern and Garlington Street Attendance Areas, and the seventh member shall be an elector at large from the district and shall be appointed by the county board of education.

SECTION 2. Board of Trustees for Laurens County School District 56—number—areas.—The board of trustees of School District No. 56 of Laurens County shall be composed of seven members, six of whom shall reside in the following attendance areas: two in the Clinton Attendance Area, and one each in the Joanna, Mountville and Cross Hill Attendance Areas, and one from the Lydia Mills Community. The county board of education shall appoint as a seventh member an elector at large from the district.

SECTION 3. Chairman.—The member appointed at large by the county board of education in each of the respective districts shall serve

as chairman of the respective district board and shall vote only in case of ties.

SECTION 4. Members to be appointed unless election requested.—The members of the respective boards shall be appointed from the attendance areas by the county board of education. If twelve or more qualified electors in any attendance area endorse any candidate and request an election, the county board shall honor such petition and order an election as hereinafter provided, and such trustees from that particular area shall be elected by the qualified voters rather than by appointment by the county board.

SECTION 5. Conduct of election.—The election provided for in Section 4 of this act shall be held on the second Tuesday in March in 1959, and on the same date every two years thereafter, if required by a proper petition. The petition required by this act must be presented to the county board by 12 o'clock noon at least three weeks in advance of the time set for such election. The county board shall give notice of the time, place and purpose of the election by advertisement in a newspaper having general circulation in the county in at least two weekly issues immediately preceding the date of the election. The qualified electors in the particular school district shall vote only for the trustees or trustee representing the attendance area in which such elector resides. Any qualified elector residing within the attendance area and presenting a valid registration certificate irrespective of where registered shall be entitled to vote. The costs of such election shall be paid out of the budget of the school district in which such election is held. The county board shall appoint managers of election and provide for voting places in the respective school districts, and furnish a sufficient number of ballots. Managers shall forward such ballots after the polls have closed to the county board who shall tabulate and declare the result of the election.

SECTION 6. Terms of present members.—The present members of the respective boards of trustees of school districts No. 55 and 56 whose terms expire on April 1, 1959 shall continue to serve until the expiration of their present term, after which their successors shall be appointed or elected, as provided for in this act, to serve for a period of four years. The present members of the respective boards of trustees of school districts No. 55 and 56 whose terms expire on April 1, 1960, shall continue to serve until April 1, 1961, at which time their

successors shall be appointed or elected, as provided for in this act, to serve for a period of four years. The chairman of the respective boards of trustees in districts No. 55 and 56 whose term expires on April 1, 1959, shall continue to serve until the expiration of his present term after which his successor shall be appointed by the county board to serve for a period of four years. If any member of the board of trustees should resign before the expiration of his term, his successor shall be appointed by the county board to fill out the remainder of his unexpired term.

SECTION 7. Repeal—Act 907 of 1956 repealed.—Act No. 907 of 1956 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1959.

(R15, S34)

No. 7

An Act To Amend The Code Of Laws Of South Carolina, 1952, by Adding A New Section To Be Designated As Section 47-318.2, So As To Provide For The Officials For The Town Of Elloree In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Code of 1952 amended—Section 47-318.2 added—Town of Elloree to have mayor and four aldermen.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 47-318.2, to read as follows:

“Section 47-318.2. The governing body of the Town of Elloree in Orangeburg County shall consist of a mayor and four aldermen elected from the town at large. They shall take office upon the expiration of the terms of office of the present officials of the town.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1959.

(R16, H1047)

No. 8

An Act To Provide For The Permissive Saturday Closing Of Banks In Counties With A City Having A Population In Excess Of Eighty-Six Thousand According To The Latest United States Census.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain banks may close on Saturdays.—Any bank located in any county with a city having, according to the latest United States census, now or hereafter, a population in excess of eighty-six thousand may, as the board of directors of such bank may from time to time determine, remain closed on Saturdays.

SECTION 2. To be legal holiday.—Any Saturday on which any bank shall remain closed as herein permitted, shall, as to such closed bank, constitute a legal holiday and any act authorized, required, or permitted to be performed at, by or with respect to any such bank on a Saturday when it is closed may be performed on the next succeeding business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of February, 1959.

(R17, S12)

No. 9

An Act To Ratify The Amendment To Section 5, Article X Of The Constitution Of South Carolina, 1895, Imposing Limitations Upon The Bonded Debt Of Counties, So As To Permit Oconee County To Incur Bonded Indebtedness In Any Amount Not Exceeding Fifteen Per Cent Of The Assessed Value Of The Taxable Property In Oconee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 5, Article X, State Constitution, ratified—Oconee County may issue bonds in excess of

limitations.—The amendment to Section 5, Article X of the Constitution of South Carolina, 1895, relating to the relaxation of the limitation upon bonded debt to be incurred by Oconee County, proposed under the terms of a Joint Resolution appearing as No. 1147 of the Acts of 1958, having been submitted to the qualified electors at the General Election held on November 4th, 1958, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been cast therefor, the amendment so proposed is hereby ratified and declared to constitute a part of the said Constitution, and there shall be added at the end of Section 5, Article X of said Constitution, the following:

“Provided, that the limitations imposed by Section 5, Article X, are removed for Oconee County and such county may impose a bonded indebtedness not exceeding fifteen per cent of the assessed value of the taxable property in the county. This limitation shall not be construed to affect or limit the power of other political subdivisions or municipal corporations covering or extending over any portion of the territory in the county.”

SECTION 2. Time effective.—This act shall take effect upon its ratification.

Ratified the 4th day of February, 1959.

(R18, S29)

No. 10

An Act To Ratify The Amendment To Section 34 Of Article III Of The Constitution, Prohibiting Special Laws Concerning Certain Subjects, So As To Allow The Elimination Of Tales Boxes By Special Act In York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Section 34, Article III, State Constitution, ratified—York County may eliminate tales box by special act.—The amendment to Subdivision VII, Section 34, Article III of the Constitution of South Carolina, 1895, relating to the elimination of tales boxes by special act in York County, proposed under the terms of a Joint Resolution appearing as No. 1214 of the Acts of 1958, having been submitted to the qualified electors at the General Election held on November 4, 1958, in the manner prescribed by Section 1 of Article XVI of the Constitution of South

Carolina, 1895, and a favorable vote having been cast therefor, the amendment so proposed is hereby ratified and declared to constitute a part of the Constitution, and there shall be added at the end of Subdivision VII, Section 34, Article III of the Constitution, the following: "*provided*, that tales boxes may be eliminated by special act in York County."

Ratified the 10th day of February, 1959.

(R20, S39)

No. 11

An Act To Provide An Appraiser For Jasper County And To Provide For A Board Of Review For Tax Assessment And Abatements.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tax appraiser to be appointed for Jasper County.

—The Governor shall appoint a tax appraiser for Jasper County upon the recommendation of the Jasper County Legislative Delegation. The tax appraiser shall serve for a term of four years and until his successor is appointed and qualified. The tax appraiser shall receive such compensation as may be provided in the annual Jasper County Appropriation Act. The tax appraiser, in addition to appraising all real and personal property for the purpose of tax assessment, shall have custody of all area maps, cards and records relative to appraisals and shall keep such maps, cards and records current.

SECTION 2. Board of review for tax assessments created for Jasper County.—There is hereby created a board of review for tax assessments for Jasper County which shall be composed of five members, four of whom shall be appointed by the Governor upon the recommendation of the Jasper County Legislative Delegation for terms of four years or until their successors are appointed and qualified. The Jasper County Tax Appraiser shall serve ex officio as a member of the board and shall act as chairman. Valuation placed upon property in the county may be reviewed by the county board of review under such rules and regulations as the board may promulgate.

SECTION 3. All tax abatements to be reviewed by county board of review.—All abatements of any taxes in Jasper County shall be reviewed by the county board of review.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R22, H1048)

No. 12

An Act To Provide For The Permissive Saturday Closing Of Any Bank Located Within A Two Mile Radius Of The City Limits Of A City With A Population In Excess Of Eighty-Six Thousand According To The Latest United States Census.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain banks may close on Saturdays.—Any bank located within a two mile radius of the city limits of a city with a population in excess of eighty-six thousand according to the latest United States census, now or hereafter, without regard to county lines, may, as the board of directors of such bank may from time to time determine, remain closed on Saturdays.

SECTION 2. To be legal holiday.—Any Saturday on which any bank shall remain closed as herein permitted, shall, as to such closed bank, constitute a legal holiday and any act authorized, required, or permitted to be performed at, by or with respect to any such bank on a Saturday when it is closed may be performed on the next succeeding business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R23, H1066)

No. 13

An Act To Exempt Property Of The South Carolina Conference Board Of The Methodist Church, Columbia, South Carolina, From Taxation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of S. C. Conference Board of Methodist Church exempt from taxation.—The property at 815 Henderson Street, Columbia, South Carolina, shall be exempt from all county and municipal taxes so long as the same is used as a parsonage by the minister serving as Youth Director for the South Carolina Conference Board of the Methodist Church.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R24, H1083)

No. 14

An Act To Amend Section 15-273, Code Of Laws Of South Carolina, 1952, Relating To Memorial Day For Deceased Members Of The Richland County Bar, So As To Change The Date For Holding Memorial Exercises.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-273, 1952 Code, amended—Memorial Day for deceased members of Richland County Bar designated.—Section 15-273, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 15-273. The first day of the term of the court of common pleas for Richland County commencing on the first Monday in June shall be set aside and designated as Memorial Day at which time memorial exercises shall be held for the members of the Richland County Bar who have died during the previous months. On Memorial Day when exercises are held no other business shall be taken up by the court.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R27, H1093)

No. 15

An Act To Authorize The Clerk Of Court Of Greenwood County To Destroy Certain Records.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County Clerk of Court may destroy certain records.—The Clerk of Court of Greenwood County is authorized to destroy the record of chattel mortgages more than seven years old, except those which have been renewed of record by re-filing and reindexing during the past three years, as authorized by Section 60-306, Code of Laws of South Carolina, 1952, and except such mortgages executed by any public service corporation or given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R34, H1040)

No. 16

An Act To Ratify An Amendment To Section 9 Of Article V Of The Constitution Of South Carolina, Relating To The Compensation Of Justices Of The Supreme Court And Judges Of The Circuit Courts, So As To Eliminate Therefrom The Prohibition Against Increase Of Such Compensation During Their Contin-

uance in Office, And To Provide That Their Compensation Upon Retirement Shall Be Fixed By Law, And Shall Not Be Diminished During Such Retirement.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Section 9, Article V, State Constitution, ratified—Justices and Judges—not to hold other offices—compensation.—The amendment to Section 9 of Article V of the Constitution of South Carolina, proposed under the terms of a Joint Resolution entitled:

“A Joint Resolution Proposing An Amendment To Section 9 Of Article V Of The Constitution Of This State, Relating To The Compensation Of Justices Of The Supreme Court And Judges Of The Circuit Courts, So As To Eliminate Therefrom The Prohibition Against Increase Of Such Compensation During Their Continuance In Office, And To Provide That Their Compensation Upon Retirement Shall Be Fixed By Law, And Shall Not Be Diminished During Such Retirement,” and appearing as No. 992 of the Acts and Joint Resolutions of 1958, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that Section 9 of Article V of the said Constitution shall read as follows:

“Section 9. The Justices of the Supreme Court and the Judges of the Circuit Courts shall not be allowed any fees or perquisites of office, and shall hold no other office of trust or profit under this State, the United States, or any other power. Their compensation during their continuance in office, and during their retirement, respectively, shall be fixed by law, and shall not be diminished during such continuance in office, or during such retirement, as the case may be.”

Ratified the 11th day of February, 1959.

An Act To Provide Interest On Delinquent Taxes After Executions Have Been Issued In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Interest to be charged on delinquent taxes in Anderson County.—After the Treasurer of Anderson County has issued his tax execution for delinquent taxes, assessments and penalties against the property of a defaulting taxpayer, interest of one-half of one per cent on the amount of the execution shall be charged for each month or fraction of a month such execution is unsatisfied.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R38, H1085)

No. 18

An Act Abolishing The Office Of Magistrate At Kline In Barnwell County And To Merge The Magisterial District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Office of magistrate at Kline in Barnwell County abolished.—The office of magistrate at Kline (Big Fork District) in Barnwell County is hereby abolished.

SECTION 2. Kline to be merged with Barnwell Magisterial District.—The Kline (Big Fork District) Magisterial District is hereby merged with the Barnwell Magisterial District.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect on March 26, 1959, after approval by the Governor.

Approved the 12th day of February, 1959.

(R39, H1087)

No. 19

An Act To Amend Section 61-78 And Item (2) Of Section 61-79, Code Of Laws Of South Carolina, 1952, Relating To Collec-

**tion Of Contributions By The South Carolina Retirement System,
So As To Provide That Contributions Shall Be Collected Quarter-
ly Instead Of Monthly.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-78, 1952 Code, amended—S. C. Retirement System—contributions to be collected quarterly—penalties.—Section 61-78, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 61-78. The collection of members’ contributions shall be as follows: each employer shall cause to be deducted on each and every payroll of a member the contributions payable by such member as provided herein and the chief fiscal officer of each employer shall draw his warrant for the amount so deducted, payable to the South Carolina Retirement System, on a quarterly basis, and shall transmit such warrant together with a schedule of the contributions on such forms as shall be prescribed by the Board, prior to the expiration of fifteen days after the close of each quarter. A calendar quarter shall be a three month period beginning January 1, April 1, July 1, or October 1. If any employer shall fail so to do or arrears should at any time exist in making quarterly payrolls and remittances as required hereunder and by the rules and regulations of the Board, the monthly compensation of any person or officer of any employer charged with the responsibility of making quarterly payroll reports and remittances to the System shall be withheld by the employer in each and every instance of failure to make such reports and remittances until all reports and remittances required hereunder and by the rules and regulations of the Board shall have been made. The System shall furnish quarterly to the disbursing officers of each employer a statement of any failure to make payroll reports and remittances and the names of the persons or officers failing to make such reports and remittances.

Failure by any person to transmit in the manner herein required the contributions deducted prior to the expiration of the fifteen day period aforesaid shall be a misdemeanor and shall be punished by fine or imprisonment or both in the discretion of the court.”

SECTION 2. Item (2) of Section 61-79, 1952 Code, amended—collections to be transmitted quarterly.—Item (2) of Section 61-79, Code of Laws of South Carolina, 1952, is amended to read as follows :

“(2) The chief fiscal officer of each employer shall transmit on the last day of each quarter to the System on account of each employee who is a member of the System an amount sufficient to cover the normal contribution and the accrued liability contribution of each member employed by such employer for the preceding quarter and;”.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1959.

Approved the 12th day of February, 1959.

(R41, H1099)

No. 20

An Act To Amend Section 28-472, Code Of Laws Of South Carolina, 1952, Relating To The Trapping And Sale Of Rabbits In Certain Counties, So As To Permit Trapping Of Rabbits In Union County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 28-472, 1952 Code, amended—trapping and sale of rabbits prohibited in certain counties—trapping now permitted in Union County.—Section 28-472, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 28-472. All trapping, by any device, of wild rabbits in Spartanburg County and all sales or offering for sale or display of the carcasses of rabbits or purchase thereof in the counties of Chester, Fairfield, Spartanburg, Union and York is prohibited.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R43, S33)

No. 21

**An Act To Provide For A Police Commission For Horry County
And To Make An Appropriation Therefor.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Horry County Police Commission created—members—terms—chairman and secretary—quorum.—There is hereby created the Horry County Police Commission which shall be composed of six reputable citizens of the county. The members shall be appointed by the Governor upon the recommendation of a majority of the County Legislative Delegation, including the Senator, for terms of four years and until their successors are appointed and qualified, except that of the members first appointed, two shall be appointed for two years, two shall be appointed for three years and two shall be appointed for four years. The members of the commission shall be eligible for reappointment and vacancies shall be filled in the manner of the original appointments for the unexpired portion of the term. The commission shall elect its own chairman and secretary from among its members, but the chairman shall not exercise his right to vote except in case of a tie vote. The chairman shall serve for a period of two years and shall not be eligible to succeed himself. For the transaction of business it shall be necessary to have a quorum of four members.

SECTION 2. Powers and duties of commission—duties of chief and policemen.—The Horry County Police Commission shall have exclusive jurisdiction of the jail and shall appoint a chief of county police for the county and eight county policemen. The county policemen shall be assigned to work in conjunction with a magistrate, and each shall have the duty, in addition to his regular duties, of serving all criminal and civil process issued out of the magistrate's office; *provided*, that the chief of county police may temporarily assign any of the county policemen to carry out duties assigned by any other magistrate, where the occasion may arise, and policies of law enforcement shall be in the discretion of the chief of county police pending a subsequent meeting of the Horry County Police Commission, where such policies may be affirmed or repudiated. The terms of the county police, including the chief, shall be at the pleasure of the commission and the commission shall have the exclusive power to remove any county policeman, including the chief, but such policeman shall first be allowed a hearing before the commission prior to

his removal; *provided*, however, that such county policeman may be suspended by the commission pending such hearing. The commission shall investigate promptly any complaint made against any policeman for neglect of duty or for misuse of power. The commission may hire a secretary or such other personnel as it deems necessary and shall make all rules and regulations for governing the county police and shall be the final authority upon all matters relative to the conduct of such policemen.

SECTION 3. Qualifications of chief and policemen—bond.—

The chief and all of the county policemen appointed by the county police commission shall be bona fide residents of the county and shall be able-bodied men, of good habits, not addicted to the use of alcoholic liquors or drugs and physically able to perform the duties of county policemen. Each of such policemen, including the chief, shall be required to provide himself with a suitable automobile, firearms and other equipment to perform properly his duties. Each of such policemen shall, before entering upon the duties of his office, enter into a bond, the surety to be approved by and filed with the clerk of court, payable to the county, in the sum of two thousand dollars, conditioned for the faithful performance of his duties and for such damages as may be sustained by reason of his malfeasance in office or abusing his authority.

SECTION 4. Examinations.—The commission may require a written examination with each application for employment, but in every event no applicant shall be employed without having sufficient education to know and understand the duties of his office, and he shall be examined as to a legible handwriting for the purpose of maintaining permanent records of arrests and returns of civil process.

SECTION 5. Oath.—Each of such policemen, before receiving his commission shall, in addition to the oath of office required by law, take and subscribe the following oath or affirmation, to wit: "I do further solemnly swear (or affirm) that during my term of office as policeman I will study the act creating my office and prescribing my duties, will endeavor to inform myself of the criminal law of this State, both statutory and common law, pertaining to my duties, will be alert and vigilant to enforce it and to detect and bring to punishment every violation of it within my county, will conduct myself at all times with due consideration to all persons and will not impose upon the weak or ignorant. So help me, God."

SECTION 6. Duties of chief.—The chief of county police, in addition to his regular duties as a county policeman, shall have full command and authority over the regular county policemen appointed under the authority of this act and shall have the right, authority and duty of giving orders and directions to the county policemen in the performance of their duties. The county police shall patrol, police and work in such places, points and sections and at such times as may be directed by the chief of county police.

SECTION 7. Training course.—The commission shall designate a police training course for all county policemen, including the chief, and if practicable such course shall have been completed within the first six months of employment.

SECTION 8. Chief to hold auction sales.—The chief of county policemen shall sell at public auction to the highest bidder for cash any property confiscated by any county policeman in Horry County under the laws of the State. Any such auction sale shall be advertised once in some newspaper in the county and the proceeds derived from such sale shall be forthwith turned over to the county treasurer to be deposited in the general funds of the county.

SECTION 9. Powers of policemen.—All of the county policemen shall have, over the entire county, the same rights, powers and authority as sheriffs, deputy sheriffs and constables to make arrests for violation of the criminal laws of this State. The county policemen are authorized to serve summons and complaints, to seize property and serve warrants of attachment, to seize chattels and serve papers in action of claim and delivery, and the magistrates of the county may issue warrants on Sundays as well as on week days, irrespective of what offense is charged. The county policemen may summon a posse comitatus to assist in enforcing the law and any citizen who shall fail to respond or render assistance when so summoned shall be guilty of a misdemeanor and, upon conviction, be punished by imprisonment for not more than thirty days or a fine of not more than one hundred dollars.

SECTION 10. Chief and policemen not to engage in politics.—No county policeman, including the chief of police, shall take part in any political activity or issue, and upon a proper showing to the commission of such political activity, such county policeman shall be removed from his office; *provided*, further, that no county policeman

shall be allowed to remain in office after announcing his candidacy for any political office.

SECTION 11. Reports of chief and policemen.—Each of such county policemen shall weekly make a written report to the chief of county police of all their acts and doings, including all arrests, fines or bonds taken and places visited and any other information requested by the chief of county police. The chief of county police shall make a monthly written report to the commission and the county legislative delegation concerning the activities of the rural policemen.

SECTION 12. Meetings of commission.—The Horry County Police Commission shall meet at 10 o'clock on the first Monday of each month in the Horry County Jail to make plans for future activities, to discuss activities of the county police during the previous month, to hear complaints from any citizen of the county, and to take up any other matters dealing with the business of law enforcement in the county. The time for such monthly meeting may be changed by the commission whenever it is deemed necessary. A record shall be kept of all activities of the monthly meetings of the commission which shall be open to the public, except records of how the members of the board voted and matters of an executive nature. A majority of the commission shall constitute a quorum at all meetings. The commission shall, when deemed necessary, upon the majority vote of its members, call special meetings for the purpose of taking up matters pertaining to law enforcement in the county.

SECTION 13. Employ jailor and other personnel.—The commission shall employ the jailor, assistant jailor, secretary and all other personnel necessary for the carrying out of the provisions hereof and for the orderly process of law enforcement and the upkeep and maintenance of the county jail.

SECTION 14. Appropriations.—To carry out the provisions of this act from its effective date to July 1, 1959, there is hereby appropriated from the general fund of the county the sum of twenty thousand dollars, or so much thereof as may be necessary. Any expenditures for salaries or otherwise from this sum shall be recommended by the commission and approved by a majority of the County Legislative Delegation, including the Senator. From July 1, 1959 all such monies as may be necessary to carry out the provisions of this act shall be provided for in the annual county supply act.

SECTION 15. Office space for sheriff.—It is further provided by the provisions hereof, that the office of the sheriff shall be in the office space now occupied for the magistrate of district number 1, and the office of the magistrate herein named shall be in the office now occupied by the Horry County Registration Board.

SECTION 16. Deputy sheriffs.—Commencing with the effective date of this act there shall only be two deputy sheriffs in Horry County.

SECTION 17. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. Time effective.—This act shall take effect March 1, 1959.

Approved the 17th day of February, 1959.

(R44, S62)

No. 22

An Act To Provide That A Deputy County Auditor Or Treasurer May Be Appointed For Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Deputy auditor or treasurer may be appointed for Orangeburg County.—If either the Orangeburg County Auditor or Treasurer shall become unable to perform the duties of his office, a deputy county auditor or treasurer may be appointed by the Governor, upon the recommendation of a majority of the Orangeburg County Legislative Delegation. Any such deputy auditor or treasurer, as the case may be, shall exercise all powers and duties now devolved upon the county auditor or treasurer until such time as such auditor or treasurer is able to resume the duties of his office. Any such delegation of authority shall in no way relieve the auditor or treasurer of responsibility or liability under his bond.

SECTION 2. Bond and compensation.—Any such deputy shall execute a bond payable to the county auditor or treasurer, as the case may be, for the proper performance of his duties in the same amount required of such auditor or treasurer. Any such deputy shall receive such compensation as may be provided for in the annual Orangeburg County Supply Act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R47, S1070)

No. 23

An Act To Ratify The Amendment To Article X Of The Constitution Of 1895, So As To Add A New Section Authorizing The General Assembly To Empower The Board Of Commissioners Of Horry County To Assess Abutting Real Property Within Five Miles Of Any Municipality For The Purpose Of Paving And Improving Roads Or Highways In The Area.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Amendment to Article X of the State Constitution, ratified—Horry County may assess certain property for paving purposes.—The amendment to Article X of the Constitution of 1895 proposed under the terms of a Joint Resolution appearing as No. 590, of the Acts of 1957, having been submitted to the qualified electors at the general election in 1958, in the manner prescribed by Section 1, of Article XVI, of the Constitution of 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added at the end of Article X, of the Constitution of 1895, the following: "The General Assembly shall be empowered to enact legislation permitting the County Board of Commissioners of Horry County to levy an assessment against abutting real property within five miles of the corporate limits of any municipality in the county for the purpose of paving and improving roads or highways within such area."

Ratified the 17th day of February, 1959.

(R48, H1082)

No. 24

An Act To Amend Item (2) Of Section 15-269, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms

Of Court In The Fifth Judicial Circuit, So As To Change Certain Dates For Holding Of Court In Richland County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 15-269, 1952 Code, amended—terms of court in Richland County.—Item (2) of Section 15-269, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“(2) Richland County.—The Court of General Sessions for Richland County shall be held at Columbia on the second Monday in January for two weeks, on the second Monday in April for two weeks, on the third Monday in June for two weeks, on the Tuesday following the first Monday in September for three weeks and on the second Monday in December for two weeks. The Court of Common Pleas for said county shall be held in Columbia on the fourth Monday in January for two weeks, on the second Monday in March for three weeks, the first week of which shall be for the disposal of motions, equity matters and any other matters not requiring the attendance of a jury and the other two weeks for the disposal of jury matters, on the first Monday in June for two weeks, on the fourth Monday in September for three weeks and on the third Monday in November for three weeks, two weeks of which shall be for the disposal of jury matters and the other week, which includes Thanksgiving Day, for the disposal of motions, equity matters and other matters not requiring the attendance of a jury.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

An Act To Create The Position Of Property Officer, To Define His Responsibilities, To Provide A Revolving Fund, And To Authorize The Receipt And Use Of Property For Civil Defense Under The Provisions Of Federal Civil Defense Administration Property Programs For Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County to have Civil Defense Property Officer.—There is hereby created the position of Civil Defense Property Officer for Spartanburg County.

SECTION 2. Duties.—The property officer shall be responsible for carrying out all Federal Civil Defense requirements relating to use of storage, maintenance, resale and reports on property used in conjunction with the Civil Defense programs. He shall be prepared for inspections of such property by qualified Federal or State representatives and shall assist such inspectors upon request. He shall file with the Spartanburg County Legislative Delegation on or before January fifteenth of each year a statement describing all property received during the preceding calendar year and shall note on such statement the disposition made of each item of such property.

SECTION 3. Revolving fund.—There is hereby created a revolving fund in the amount of five hundred dollars from the General Fund of Spartanburg County which shall be used only in conjunction with this program and which shall be replaced by any unit of Civil Defense in this county when purchasing surplus government property.

SECTION 4. Property officer designated.—Mr. Ben F. Swink is hereby appointed property officer and authorized to utilize the services of personnel under his direction to carry out the provisions hereinabove outlined and shall serve as Spartanburg County Officer for Civil Defense until a successor is appointed by the Spartanburg County Delegation.

SECTION 5. Copy of act to be sent State Civil Defense Agency.—A copy of this act shall be sent to and filed with the State of South Carolina Civil Defense Agency at Columbia.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of February, 1959.

(R53, H1147)

No. 26

An Act To Provide That The Mayor, Councilmen And Intendants Of The Town Of Mt. Croghan In Chesterfield County Shall Be Elected For Terms Of Two Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for Town of Mt. Croghan.—The Mayor, Councilmen and Intendants of the Town of Mt. Croghan in Chesterfield County shall be elected for terms of two years and shall serve until their successors are elected and qualify.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R54, H1152)

No. 27

An Act To Amend Section 47-112, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Terms Of Office For Mayor And Intendants Of Certain Towns, So As To Include The Town Of Eutawville In Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-112, 1952 Code, amended—two-year terms for mayor and intendants of certain towns—Eutawville included.—Section 47-112, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 47-112. Notwithstanding the provisions of Section 47-111, in the Towns of Aynor, Bethune, Bonneau, Bluffton, Cameron, Campobello, Chapin, Clio, Cross Hill, Duncan, Eastover, Ehrhardt, Ellenton, Eutawville, Gray Court, Hardeeville, Harleyville, Heath Springs, Hemingway, Irmo, Jefferson, Johnsonville, Lamar, Lake View, Lowrys, Lynchburg, McBee, McClellanville, Nichols, North, North Mullins, Norway, Ocean Drive Beach, Olanta, Olar, Pamlico, Pelion, Pomaria, Port Royal, Ravenel, Ridge Spring, Ridgeville, Salley, Scranton, Sellers, Silverstreet, West Union and Yemas-

see, the intendant or mayor and wardens, aldermen or councilmen shall be elected every two years and their terms of office shall be for two years and until their successors shall have been elected and qualified.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R56, H1102)

No. 28

An Act To Amend Section 28-333, Code Of Laws Of South Carolina, 1952, Relating To Open And Closed Seasons For The Hunting Of Game In Game Zone No. 1, So As To Extend The Season For The Hunting Of Quail.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (4) of Section 28-333, 1952 Code, amended—hunting seasons for hunting quail and rabbits in Game Zone 1.—Item (4) of Section 28-333, Code of Laws of South Carolina, 1952, is amended to read as follows :

“(4) The open season for hunting quail shall be from Thanksgiving Day through March first of each year ;

The open season for hunting rabbits shall be from Thanksgiving Day through February fifteenth of each year ;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R57, H1115)

No. 29

An Act Placing Restrictions On The Possession Or Ownership Of A Vicious Dog In Aiken County And Providing A Penalty For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to keep vicious dogs in Aiken County unless securely confined.—It shall be unlawful to own or keep a vicious dog within the confines of Aiken County unless such vicious dog be securely muzzled or securely confined within such owner's or keeper's private premises.

SECTION 2. Vicious dog defined.—For the purpose of this act the term "vicious dog" shall be construed to mean any dog evidencing characteristics usually associated with a dog abnormally inclined to attack or to attempt to attack other animals or persons without provocation by such other animal or person.

SECTION 3. Penalties.—Any person violating the provisions of this act shall, upon conviction, be subject to a fine of not more than fifty dollars or imprisonment for not more than thirty days, in the discretion of the court.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R58, H1131)

No. 30

An Act To Amend Section 1 Of Act No. 722 Of The Acts Of 1954, Authorizing The Clerk Of Court For Richland County To Destroy Certain Records, So As To Further Define Which Records May Be Destroyed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 722 of 1954, amended—Richland County Clerk of Court may destroy certain records.—Section 1 of Act No. 722 of the Acts of 1954 is amended to read as follows:

"Section 1. The Clerk of Court of Richland County is authorized to destroy the following:

(1) The record of chattel mortgages more than six years old except those which have been renewed of record by refiling and re-

indexing, during the past three years, as authorized by 1952 Code Section 60-306 and except such mortgages executed by any public service corporation or given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

(2) The pleadings of abandoned cases or settled cases which are not indexed under a judgment roll and which are more than seven years old.

(3) Affidavits as to consideration in real estate transactions which are more than three years old.

(4) Original personal and real estate mortgages which have been marked 'Satisfied' on the face of the record and satisfactions accomplished by separate instruments which have likewise been recorded of record, which are more than one year old."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R59, S28)

No. 31

An Act To Provide For The Permissive Saturday Closing Of Any Bank Located In Any City Having A Population Between Eight Thousand Nine Hundred And Nine Thousand According To The Latest United States Census.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain banks may close on Saturdays.—Any bank located in any city having a population between eight thousand nine hundred and nine thousand according to the latest United States census, now or hereafter, may, as the board of directors of such bank may from time to time determine, remain closed on Saturday.

SECTION 2. To be legal holiday.—Any Saturday on which any bank shall remain closed as herein permitted, shall, as to such closed bank, constitute a legal holiday and any act authorized, required, or permitted to be performed at, by or with respect to any such bank on a

Saturday when it is closed may be performed on the next succeeding business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R61, S73)

No. 32

An Act To Provide For The Appointment Of A Board Of Tax Assessors For Dorchester County, The Method Of Appointment, Terms Of Office And Compensation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Board of Tax Assessors to be appointed for Dorchester County.—The Board of Tax Assessors for Dorchester County shall consist of twenty-seven members, who shall be appointed for terms of two years, beginning with the date of appointment by the Governor upon the recommendation of the Senator from the county, as follows :

Nine shall be appointed from St. George School District No. 1 ;

Nine shall be appointed from Summerville School District No. 2 ;
and

Nine shall be appointed from Harleyville-Ridgeville School District No. 3.

The members of the board of tax assessors from each school district shall assess all taxable property within their particular school district, and they shall receive for their services such compensation as may be provided in the annual appropriation act of the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R62, H11097)

No. 33

An Act Declaring A Portion Of The Saluda River In Lexington County To Be A Clear Water River, And To Provide That Baskets And Trot Lines May Be Used Therein To Catch Non-Game Fish Upon Securing Non-Game Fish Tags.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Portion of Saluda River in Lexington County declared to be clear water.—For the purpose of laws relating to fishing, the water of the Saluda River from the Congaree River bridge at Columbia to the Lake Murray spillway is hereby declared to be clear water.

SECTION 2. Certain baskets and trot lines may be used to catch nongame fish—licenses required.—Baskets designed to catch non-game fish may be used for catching non-game fish in that portion of the Saluda River declared to be clear water in Section 1 of this act. The Director of the Division of Game shall specify the design and type basket that may be used. Trot lines may also be used in such portion of the Saluda River for catching non-game fish, if they are baited only with cut bait, dough balls or corn. No trot line may have more than one hundred hooks. Before either a trot line or a basket is used in such waters a non-game fish tag must be secured from the game warden or an agent of the Division of Game at a cost of one dollar per tag. Each such non-game fish tag shall be good for only the calendar year in which issued. Each basket or trot line shall have a non-game fish tag attached thereto and shall be plainly marked by means of a float or other device, so that it may be found and checked by officers charged with enforcement of the law. No game fish, or fishing tackle used to catch game fish shall be in possession of any person while fishing trot lines or baskets.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R64, H1167)

No. 34

An Act To Amend Sections 1 And 2 Of Act No. 881 Of The Acts Of 1956, Relating To The Deeding Of Rights Of Way To Greenville County, So As To Exclude Certain Alleys And Alleyways And To Exclude Certain Streets And Roads Within Any Industrial Village Area Or Other Densely Populated, Congested Or Developed Area From The Minimum Width Requirements.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 881 of 1956, amended—this section not to apply to alleyways.—Section 1 of Act No. 881 of the Acts of 1956 is amended by adding the following at the end thereof :

“Alleys and alleyways, known and designated as such, are specifically excluded and shall not come within the provisions of Section 1 of this act.”

SECTION 2. Section 2 of Act 881 of 1956, amended—this section not to apply to certain roads or streets.—Section 2 of Act No. 881 of the Acts of 1956 is amended by adding the following at the end thereof :

“The requirements of this section, relating to the minimum width of right of way, shall not apply to streets or roads located within or constituting a part of any industrial village area or other densely populated, congested or developed area if such streets and roads were in existence prior to January 1, 1956, and if the industrial village was in existence or such other area had become densely populated, congested or developed prior to January 1, 1956.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R68, H1179)

No. 35

An Act Providing For The Election Of The Mayor And Councilmen For The Town Of Woodruff, Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election of mayor and councilmen for Town of Woodruff.—The Town of Woodruff shall have a mayor who shall be elected by the qualified electors for the town at large and six councilmen who shall be elected by the qualified electors for the town at large. One councilman shall be elected from each of the six wards.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R69, H1191)

No. 36

An Act To Validate All Action Heretofore Taken In Adding To And Modifying The State Highway Secondary System, Pursuant To Act 824 Of The Acts Of 1952, And To Make Provision For Future Additions And Modifications To The Highway Secondary System.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain action of Highway Department validated.—All action taken by the State Highway Department on or before January 15, 1959, pursuant to Act 824 of the Acts of 1952 in adding to or modifying the State Highway Secondary System is hereby validated and confirmed, notwithstanding that such action shall have been taken pursuant to selections made by the Senator and at least one-half of the members of the House of Representatives from the counties wherein such additions or modifications were effected.

SECTION 2. Highway Department to take over certain roads.—From and after the effective date of this act the State Highway Department is hereby directed to take over and accept as a part of the State Highway Secondary System the roads remaining in the various county road systems, which have been maintained by the respective counties, or so much mileage thereof, as the availability of funds for construction of secondary state highways in a county

may justify; *provided*, that municipal streets which are extensions of state highways may be added to the State Highway Secondary System in lieu of an equal mileage of county roads. The roads to be placed in the State Highway System hereunder shall be selected by the State Highway Department. Maintenance jurisdiction by the State Highway Department of roads added to the State Highway Secondary System pursuant to the provisions of this section shall not commence until construction to state highway standards shall have started.

SECTION 3. Highway Department may remove certain roads from secondary system.—From and after the effective date of this act the State Highway Department is hereby authorized to delete and remove from the State Highway Secondary System of roads in any county any roads which are of low traffic importance, and to substitute therefor, an equal, or less, mileage of other roads of higher traffic importance as determined by traffic surveys and estimates. Maintenance responsibility for roads deleted and removed from the State Highway Secondary System, pursuant to the provisions of this section, shall transfer from the jurisdiction of the State Highway Department to the jurisdiction of the county or municipality in which such roads are situated, effective upon notice from the State Highway Department of official action deleting and removing the roads from the State Highway System.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of February, 1959.

An Act To Amend Sections 15-654, 15-656, 15-671 And 15-673, Code Of Laws Of South Carolina, 1952, Relating To The County Court For Greenville County, So As To Increase The Jurisdiction Of The Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 16-654, 1952 Code, amended—civil jurisdiction of Greenville County Court.—Section 15-654, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 15-654. The county court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and equity, except that its jurisdiction shall not extend to actions at law for the recovery of money only when the amount demanded in the complaint exceeds ten thousand dollars or actions at law for the recovery of specific real and personal property when the value of such property exceeds ten thousand dollars. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to divorce from the bonds of matrimony, if one of the parties to the action has been a resident of the county for one year or more prior to the filing of the summons and complaint thereof.”

SECTION 2. Section 15-656, 1952 Code, amended—appellate civil jurisdiction of Greenville County Court.—Section 15-656, Code of Laws of South Carolina, 1952, is amended to read as follows: “Section 15-656. The court shall have appellate jurisdiction concurrent with the court of common pleas to hear and determine appeals:

(1) From the probate court except that such jurisdiction shall not extend to issues required to be heard de novo before a jury when the amount involved exceeds ten thousand dollars or in case of issue of will or no will when the appraised value of the estate concerned as shown by the records of the probate court exceeds ten thousand dollars;

(2) From preliminary boards or commissions in condemnation proceedings except that such jurisdiction shall not extend to proceedings required to be heard de novo before a jury when the value or the claimed value of the property concerned exceeds ten thousand dollars;

(3) From the South Carolina Industrial Commission or other administrative boards or bodies within the State; and

(4) From judgments rendered by the magistrates' courts.

The proceedings on such appeals shall be as is now provided for appeals from said last mentioned tribunals to the court of common pleas.”

SECTION 3. Section 15-671, 1952 Code, amended—number of jurors for Greenville County Court.—Section 15-671, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 15-671. When a jury is required by law in the trial of a civil or criminal case in the court, the jury shall consist of six persons except that issues framed in equity cases shall be submitted to a jury of twelve persons when the amount depending upon the outcome of such issues exceeds ten thousand dollars.”

SECTION 4. Section 15-673, 1952 Code, amended—empaneling juries in civil cases for Greenville County Court.—Section 15-673, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 15-673. The empaneling of juries in all civil cases in which the jury shall be charged with the trial of any issue shall be according to the practice now established in the court of common pleas, except that the list of jurors now required by law to be furnished shall consist of ten, from which list each party shall alternately strike until there remain but six, who shall constitute the jury to try the case or issue; *provided*, however, that when issues framed in equity cases are to be submitted to a jury and the amount depending upon the outcome of the issues exceeds ten thousand dollars a jury list of twenty shall be selected from a venire of thirty-six persons and the empaneling of the jury shall be according to the practice in the court of common pleas.”

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

An Act To Amend Act No. 881 Of The Acts Of 1956, Relating To Deeding Of Rights Of Way, Land, Roads, Etc., To Greenville County; For The Regulation And Marking Of County Vehicles And To Regulate The Office Of County Supervisor, So As To Delete The Requirement That The County Board Of Commission-

ers Give Approval And Notice Concerning Drainage Of Roads On Private Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 7 of Act 881 of 1956, amended—for drainage of roads, pipes may be used on private property in Greenville County.—Section 7 of Act No. 881 of the Acts of 1956 is amended to read as follows:

“Section 7. Where drainage of roads is concerned the county supervisor is authorized to install, place or otherwise use pipe, culvert or other materials on private property.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R75, H1138)

No. 39

An Act To Amend Section 28-338.1, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Open And Closed Seasons For The Hunting Of Game In Game Zone No. 7, So As To Extend Until March First The Open Season For The Hunting Of Squirrels In Marion County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (5) of Section 28-338.1, 1952 Code, amended—open season for squirrels in Marion County.—Subsection (5) of Section 28-338.1, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: “*Provided*, that in Marion County the open season for squirrels shall be to and include March first.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R76, H1153)

No. 40**An Act To Amend Act No. 79 Of 1953, Relating To Election Of School Trustees In East Clarendon District Number Three Of Clarendon County, So As To Further Provide Therefor.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 79 of 1953, amended—Trustees of East Clarendon School District Three—election and terms.—Act No. 79 of 1953 is amended by striking all after the enacting words and inserting in lieu thereof the following :

“Section 1. There shall be seven trustees of East Clarendon School District Number Three in Clarendon County, who shall be elected as hereinafter provided. The term of office of each of the trustees shall be for a period of three years or until their successors are elected and qualified. All elections provided for by this act shall be held on the second Tuesday in March and the terms of office shall commence on the first day of April following the election. The terms of the present trustees shall continue until their successors are elected and qualified.

“Section 2. One trustee shall be elected from each of the general election voting precincts in the district. Oakdale, Turbeville and Barrows Mill shall each elect one trustee in 1959; Seloc and Sandy Grove shall each elect one trustee in 1960; and New Zion and Sardinia-Gable shall each elect one trustee in 1961. The trustees shall elect a chairman from among their membership for a term of one year and such chairman shall be eligible to succeed himself.

“Section 3. Notice of the time, place and purpose of the elections shall be given by posting the same in at least three conspicuous places in the voting precinct for at least two weeks prior to the date of election; or by publishing the notice in a newspaper published and circulated in Clarendon County in at least two weekly issues prior to the date fixed for the election. Each trustee shall be a resident elector of the voting precinct or precincts he represents and shall be elected by the resident electors of such precinct or precincts. The election shall be held under the supervision and direction of the county board of education, which board shall appoint three managers of the election for each general election voting precinct in the district. The board shall make all the necessary preparation for the holding of the election, receive and canvass the returns and declare the result thereof on Wednesday following each election. Before any trustee

shall be elected, he or she must have received a majority of the votes cast in the election. Should for any reason the election be not held on the date herein, or should it become necessary to hold a subsequent election or elections until the successful candidate shall receive a majority vote, the county board of education is hereby authorized and directed to order the same, to fix the date thereof on each subsequent Tuesday and to give such notice as in the judgment of the county board will give the voters of the voting precinct proper notice of the time, the place and the purpose of the election and the board shall have full power and authority to provide for the holding thereof as is conferred for the holding of the election on the dates herein specified, and where applicable, the same regulations shall govern the holding and declaring of the result. At any such election, only qualified voters residing in the voting precinct shall be allowed to vote. The law governing the holding of general elections in this State shall govern the trustee elections, except voters shall be allowed to vote without the requirement of producing a registration certificate and without the requirement of taking an oath. The general election books shall constitute the official voting list of each precinct and any person whose name appears on the books shall be entitled to vote. Each voter shall write, print or use a printed ballot on which are written or printed the names of the correct number of trustees to be elected.

“Section 4. Any necessary expenses incurred by the county board of education in holding any of the elections shall be paid for out of the school funds of the district.

In case of a vacancy in the board of trustees, the county board of education shall call a special election to fill the unexpired term.

“Section 5. All acts or parts of acts inconsistent herewith are repealed.

“Section 6. This act shall take effect upon approval by the Governor.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R80, S89)

No. 41**An Act To Abolish The Office Of Assistant Tax Collector For Chesterfield County And To Provide A Clerk For The Tax Collector's Office.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Office of Assistant Tax Collector for Chesterfield County abolished.—Effective March 1, 1959, the office of Assistant Tax Collector for Chesterfield County is hereby abolished.

SECTION 2. Clerk to be appointed for Tax Collector's office.—The County Sinking Fund Commission shall appoint a clerk for the Tax Collector's office. Such clerk shall take office March 1, 1959.

SECTION 3. Appropriation for salary.—There is hereby appropriated from the General Fund of Chesterfield County the sum of seven hundred forty dollars, which shall be used to pay the salary of such clerk until June 30, 1959. Thereafter, the clerk shall be paid such salary as is provided in the annual county appropriation act.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of February, 1959.

(R81, S83)

No. 42**An Act Relating To Supplying Deficiencies In The Number Of Grand And Petit Jurors, So As To Dispense With The Tales Box In York County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Tales box eliminated in York County—how deficiency of jurors to be drawn.—The Jury Commissioners of York County shall not prepare a tales box, but any deficiency in the number of grand and petit jurors shall be drawn from the jury list prepared as provided for in Section 38-52, Code of Laws of South Carolina, 1952.

SECTION 2. Section 38-72 not to apply to York County.—The provisions of Section 38-72, Code of Laws of South Carolina, 1952, as amended, shall not apply in supplying any deficiency in the number of grand or petit jurors in York County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1959.

(R82, S84)

No. 43

An Act To Incorporate The Rural Police System For Sumter County Into The Sumter County Sheriff's Office And To Designate The Officers Thereof As Deputy Sheriffs.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Rural Police System for Sumter County to be incorporated with sheriff's office.—The Rural Police System for Sumter County is hereby incorporated into the Sumter County Sheriff's Office and such rural policemen shall henceforth be designated as deputy sheriffs.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of February, 1959.

(R85, H1195)

No. 44

An Act To Ratify The Amendment To Section 5, Article X Of The Constitution Of South Carolina, 1895, Imposing Limitations Upon The Bonded Debt Of Counties, So As To Permit Bamberg County To Incur Bonded Indebtedness In Any Amount Not Exceeding Ten Per Cent Of The Assessed Value Of The Taxable Property In Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 5, Article X, State Constitution, ratified—Bamberg County school districts may issue bonds in excess of limitations.—The amendment to Section 5, Article X of the Constitution of South Carolina, 1895, relating to the relaxation of the limitation upon bonded debt to be incurred by Bamberg County, proposed under the terms of a Joint Resolution appearing as No. 1016 of the Acts of 1958, having been submitted to the qualified electors at the General Election held on November 4, 1958, in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been cast therefor, the amendment so proposed is hereby ratified and declared to constitute a part of the said Constitution, and there shall be added at the end of Section 5, Article X of said Constitution, the following :

“Provided, that the limitations as to bonded indebtedness imposed by this section shall not apply to the school districts of Bamberg County, the State of South Carolina, and that the said school districts may incur bonded indebtedness for school purposes to an amount not exceeding ten per cent of the assessed value of all taxable property therein.”

SECTION 2. Time effective.—This act shall take effect upon its ratification.

Ratified the 25th day of February, 1959.

(R86, H1213)

No. 45

An Act To Authorize The Town Council Of The Town Of Pendleton In Anderson County To Enact An Ordinance Directing That Members Of The Town Council Shall Be Elected From Their Respective Wards By A Vote Of The Electors At Large.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Pendleton may enact ordinance concerning election of aldermen.—The Town Council of the Town of Pendleton in Anderson County is authorized to enact an ordinance providing that the aldermen shall be elected from their respective wards by the qualified electors of the town at large. Upon the enact-

ment of the ordinance the then present aldermen shall continue in office for the remainder of their terms.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1959.

(R87, S93)

No. 46

An Act To Amend Section 24-555, Code Of Laws Of South Carolina, 1952, Relating To the Necessary Quorum For Transacting Business Of The Greenwood County Electric Power Commission, So As To Increase The Membership Constituting A Quorum.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 24-555, 1952 Code, amended—Greenwood County Electric Power Commission—chairman—quorum.—Section 24-555, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 24-555. The chairman of the commission shall be appointed by the members thereof. Vacancies in the commission, so long as there shall be four members in office, shall not impair the power of the commission to execute and perform the duties placed on it. For the purpose of transacting the business of the commission, four of the members in office shall constitute a quorum.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R88, S94)

No. 47**An Act To Amend Section 24-551, Code Of Laws Of South Carolina, 1952, Relating To The Greenwood County Electric Power Commission, So As To Increase Its Membership And Provide For Terms Of Office.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 24-551, 1952 Code, amended—Greenwood County Electric Power Commission created—members—terms.—Section 24-551, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 24-551. For the purpose of maintaining and operating the electric power plant at or near Buzzard’s Roost on the Saluda River, known as the Greenwood County electric power plant, there is hereby created the Greenwood County Electric Power Commission, which shall consist of seven citizens of Greenwood County, who shall be appointed by the Governor upon the recommendation of a majority of the county legislative delegation.

The new members appointed pursuant to the provisions of this act shall be appointed for terms of three and four years and their terms shall expire on the first day of May following the service of at least three and four years. Thereafter, their terms shall be as provided in Section 24-553.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R90, H1111)

No. 48**An Act To Amend Section 1 Of Act No. 234 Of 1953, As Amended, Relating To Hunting Seasons and Bag Limits In Game Zone 5, So As To Extend The Season For Hunting Raccoons And Opossums Until March Thirty-First.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 234 of 1953, amended—hunting seasons in Game Zone 5—quail limit.—Section 1 of Act No. 234 of 1953, as amended, is further amended to read as follows:

“Section 1. The open season for hunting domestic game birds and animals in Zone 5 shall be from Thanksgiving Day to February fifteenth following, inclusive, except that:

1. Deer (bucks only) may be hunted from September fifteenth to January first, inclusive;
2. Raccoons and opossums may be hunted from September fifteenth to March thirty-first, inclusive;
3. Between September fifteenth and Thanksgiving Day rabbits may be hunted without firearms and squirrels may be hunted without dogs;
4. There shall be no closed season on foxes except that firearms may not be used for the killing of foxes between January second and August fifteenth;
5. Not more than ten quail may be taken by any one person on any one day.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R91, H1135)

No. 49

An Act To Create And Establish A Mental Health Center For Darlington And Florence Counties And To Provide For Its Powers And Functions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Mental Health Center for Darlington and Florence Counties created.—There is hereby created the Mental Health Center for Darlington and Florence Counties, to be governed by a Board of Trustees, as hereinafter established, which shall have the powers and duties hereinafter set forth, and who shall serve without compensation.

SECTION 2. Board of Trustees—members.—The Board of Trustees of the Mental Health Center for Darlington and Florence Counties shall be composed of nine trustees who shall be residents of the County of Florence and six trustees who shall be residents of the County of Darlington, and in addition thereto the president of the Darlington County Mental Health Association and the president of the Florence County Mental Health Association shall always be ex officio members of the board.

SECTION 3. Appointments and terms.—The board of trustees shall be appointed by the Senator and a majority of the House Delegation of the respective counties, and said trustees shall draw lots to determine which trustees shall serve for one year and which trustees shall serve for two years. Thereafter, the term for said trustees shall be for a period of two years.

SECTION 4. Vacancies—election and terms of successors.—All vacancies on the board, by resignation or death, shall be filled by a majority vote of the remaining members of the board to fill out the unexpired term of the trustee or trustees resigning or dying. Upon the termination of the term of office of a member of the board, his successor shall be elected by a majority vote of the remaining members of the board and the term of office of the elected trustee shall always be for a term of three years; *provided*, however, that upon any vacancy, or expiration of office of any trustee, his successor shall be a resident of the county of his predecessor. If any member of the board should change his residence from the county from which he was elected, then such member shall automatically and forthwith cease to be a member of the board.

SECTION 5. Powers and duties.—The board shall have authority to hold title to real estate, which shall be taken in the name of and shall vest in the Mental Health Center for Darlington and Florence Counties; to control, supervise and maintain any buildings and grounds in the Counties of Darlington and Florence used for the operation of a mental health center, or clinic, by, under the control or direction of, or for the South Carolina Mental Health Commission; to receive donations, appropriations, gifts, bequests or any other funds, for the construction, operation and maintenance of buildings and grounds for use as a mental health center or clinic.

SECTION 6. Officers.—The board shall annually, at its first meeting following the first day of each year, elect from its membership the

following officers: a chairman, a vice-chairman, a secretary and a treasurer; *provided*, that the secretary and treasurer may be one person. These officers shall be elected to serve for a period of one year, or until their successors are elected.

SECTION 7. Duties of officers.—The chairman shall preside at all meetings of the board, shall serve as an ex officio member of all committees, and shall perform all duties generally ascribed to a chairman. The vice-chairman, who shall not be a resident of the same county as the chairman, shall take the place of the chairman in event of the chairman's absence or incapacity, and shall perform such duties as the chairman shall direct. The secretary-treasurer or secretary and treasurer, shall perform such duties as the chairman, or the vice-chairman in the absence of the chairman, shall assign, except that, in any event, the treasurer shall handle and disburse funds under control of the board, and he shall give a surety bond in such amount as the board directs; *provided*, however, that all checks for more than shall be countersigned by such officer or member of the board as the board shall direct. Cost of the surety bond provided for herein shall be borne by the board out of funds available for its operations.

SECTION 8. Bylaws and regulations.—The board shall have the power to make bylaws and regulations consistent with the Constitution and laws of this State for their own government and the due and orderly conduct of the affairs and the management of their property.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

An Act To Vest The General Powers And Duties Of Boards Of Commissioners Of Public Works Upon The Town Council Of The Town Of Central In Pickens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Duties of commissioners of public works devolved upon Town Council of Central.—In the Town of Central, in Pickens County, there shall be no board of commissioners of public works, and the powers and duties vested by general law in such boards in other cities and towns shall be vested in the Town Council of Central.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R94, H1221)

No. 51

An Act To Amend Act No. 39 Of The Acts Of 1957, Authorizing The City Of Beaufort In Beaufort County To Furnish Water And Sewerage Disposal Beyond The City Limits, So As To Similarly Authorize The City Of Marion In Marion County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 39 of 1957, amended—Cities of Beaufort and Marion may furnish water, lights and sewerage disposal beyond city limits.—Section 1 of Act No. 39 of the Acts of 1957 is amended to read as follows :

“Section 1. The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 59-536.2.

‘Section 59-536.2. The City of Beaufort, in Beaufort County, and the City of Marion, in Marion County, may through the officials of the city enter into a contract with any person to furnish water or sewerage disposal facilities, one or both, without the city corporate limits, but contiguous thereto, upon such terms, rates and charges as may be fixed by contract for domestic or industrial purposes, or both, when in the judgment of the city officials it is best for the interests of the municipality so to do. No contract shall run for a longer period than thirty years, but may be renewed from time to time at the discretion of the city officials.’ ”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R97, H1244)

No. 52

An Act Authorizing And Directing The Conveyance Of A Six Inch Water Main To The Town Of Ridgeland In Jasper County And Providing For The Sale Of Water To Customers Beyond The Town Limits.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County Marketing Commission to convey water main to Town of Ridgeland.—The Jasper County Marketing Commission is authorized and directed to convey to the Town of Ridgeland the six inch water main heretofore constructed and extending from the town limits of Ridgeland to the Farmers Market. The Town of Ridgeland shall pay the Jasper County Marketing Commission the sum of two hundred dollars, annually, for a period of ten years in consideration of the conveyance.

SECTION 2. Ridgeland to furnish water to Farmers Market free.—The Town of Ridgeland shall hereafter maintain the water main and furnish to the Farmers Market, so long as it shall be used as a farmers market, or for a period not exceeding twenty-five years, a minimum of three thousand gallons of water per month without charge and all water used by the Farmers Market in excess of three thousand gallons shall be paid for on the basis of the prevailing water rates existing at the time.

SECTION 3. May furnish water to others outside of town limits.—The Town of Ridgeland is authorized to furnish water to other customers between the town limits and the Farmers Market at the same rates prevailing in the Town of Ridgeland and charge a connection fee of one hundred dollars.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R98, S45)

No. 53

An Act To Amend Section 46-61, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Free Registration Of The Personal Motor Vehicle Or Truck Of Certain Disabled Veterans, So As To Include Disabled Veterans With Loss Of One Or Both Arms.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-61, 1952 Code, amended—certain disabled veterans to get free licenses for autos and trucks.—Section 46-61, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 46-61. Any wartime disabled veteran who is entitled to compensation for the loss, or loss of use of, one or both legs or arms and is also entitled to a special monthly statutory award by reason thereof, may make application for registration and license of his personal motor vehicle or truck not exceeding three-quarter ton to the Department without accompanying such application with the usual fee for registration and license of a vehicle of similar type. The Department shall issue license plates upon the receipt of such application made under oath and in such form as may be required.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1959.

(R100, S101)

No. 54

An Act To Eliminate The Requirement That The Auditor Of Calhoun County Visit The Townships For The Purpose Of Receiving Tax Returns And Assessing Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Calhoun County Auditor shall receive returns and assess taxes only in his office.—Notwithstanding the provisions of Section 65-1752, Code of Laws of South Carolina, 1952, the Auditor

of Calhoun County shall not visit townships for the purpose of receiving returns and assessing taxes, but shall receive returns and assess taxes in his office only.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R102, S116)

No. 55

An Act To Require The Clerk Of Court Of Georgetown County To Execute Those Duties Formerly Performed By The Master In Equity For The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County Clerk of Court to assume duties of master in equity.—The Clerk of Court of Georgetown County, in addition to those duties required of him in his capacity as clerk of court, shall execute those duties formerly performed by the Master in Equity for Georgetown County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R104, S128)

No. 56

An Act To Authorize The Clerk Of Court Of Chesterfield County To Keep A Separate Index Of State Tax Liens.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County Clerk of Court to keep separate index of State tax liens.—Notices or warrants of liens payable

to the State of South Carolina and certificates or satisfactions discharging such liens filed with the Clerk of Court for Chesterfield County shall be entered alphabetically in a State Tax Lien Index, showing on a line the name and residence of the taxpayer named in such notice or warrant, the date and hour of filing, and the amount of tax, with interest, penalties and costs. The Clerk shall file and keep all original notices or warrants so filed in numerical order in a file designated "State Tax Lien Notices."

SECTION 2. Entering discharges, releases or satisfactions of such liens.—When a certificate of discharge, release, or satisfaction of any such tax lien issued by the South Carolina Tax Commission or the Chesterfield County Tax Collector is filed with the Clerk of Court for Chesterfield County, the Clerk shall enter such certificate, release, or satisfaction with the date of filing, in such Tax Lien Index on the line where the notice of the lien so discharged is entered, and shall attach to or write across the face of the original notice or warrant such certificate of discharge, release or satisfaction.

SECTION 3. Furnishing of index and files.—Such State Tax Lien Index and file or files, with such State tax lien notices or warrants, shall be furnished to the Clerk of Court for Chesterfield County in the same manner as now provided by law for the furnishing of books in which deeds are recorded.

SECTION 4. Not to be entered in judgment books.—This act shall relieve the Clerk of Court for Chesterfield County of entering and enrolling State tax liens in the index of judgment books, abstract of judgment books and judgment rolls in the Clerk's office.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

peal Act No. 771 Of 1952, Relating To The Terms Of Such Councilmen.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of councilmen for Town of Seneca.—The terms of office of the councilmen of the Town of Seneca, in Oconee County, shall be for four years and until their successors are elected and qualified, except that of the two councilmen to be elected in 1960, the candidate receiving the smaller number of votes shall serve for a term of two years only. Thereafter, three councilmen shall be elected every two years to serve for terms of four years.

SECTION 2. Repeal—Act 771 of 1952 repealed.—Act No. 771 of 1952 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R106, H1012)

No. 58

An Act To Provide That In Colleton County A Defendant, Upon Request, Shall Be Tried By The Magistrate Of The District In Which The Offense Was Committed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Defendants in Colleton County may request to be tried by magistrate of district where offense was committed.—In Colleton County, in criminal causes, a defendant may request that he be tried before the magistrate of the district in which the offense was committed and such request shall be granted; *provided*, that this act shall not be construed so as to interfere with the countywide jurisdiction of any magistrate in Colleton County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R107, H1092)

No. 59

An Act To Amend Section 10-431, Code of Laws of South Carolina, 1952, Relating To Service Of Process Upon The Chief Highway Commissioner, So As To Further Provide For Service Upon Residents Who Subsequently Become Nonresidents.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 10-431, 1952 Code, amended—service of process on nonresident automobile drivers.—Section 10-431, Code of Laws of South Carolina, 1952, is hereby amended to read as follows:

“Section 10-431. Service of process upon the Chief Highway Commissioner as agent of (a) a nonresident driver under the provisions of Section 46-104 or (b) a resident driver who subsequently becomes a nonresident, shall be made by leaving a copy thereof, with a fee of one dollar, in the hands of the Commissioner in his office and such service shall be sufficient service upon such nonresident if notice of such service and a copy of the process are forthwith sent by registered mail by the plaintiff or the Commissioner to the defendant and the defendant’s return receipt and the plaintiff’s affidavit of compliance herewith are appended to the summons or other process and filed with the summons, complaint and other papers in the cause. The Chief Highway Commissioner shall keep a record of all such processes which shall show the day and hour of service upon him. When the registry return receipt shall be returned to the Chief Highway Commissioner he shall deliver it to the plaintiff on request and keep a record showing the date of its receipt by him and its delivery to the plaintiff.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R109, H1219)

No. 60**An Act To Repeal Act No. 90 Of The Acts Of 1955, Relating To The Juvenile-Domestic Relations Court Of Union County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 90 of 1955 repealed.—Act No. 90 of the Acts of 1955, relating to the Juvenile-Domestic Relations Court for Union County, is hereby repealed.

SECTION 2. Time effective.—This act shall take effect July 1, 1959.

Approved the 12th day of March, 1959.

(R110, H1220)

No. 61**An Act To Amend Act No. 80 Of The Acts And Joint Resolutions Of The General Assembly Of South Carolina, 1955, As Amended, Establishing The Civil And Criminal Court Of Union, So As To Provide That The Judge And Solicitor Of The Court Shall Be Nominated In The Primary And Elected In The General Election.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 80 of 1955, amended—Judge of Civil and Criminal Court of Union—election—terms—qualifications—substitute.—Act No. 80 of 1955, as amended, is further amended by striking out all of Section 2 of the act, and inserting in lieu thereof the following which shall be Section 2:

“Section 2. There shall be a judge for the Civil and Criminal Court of Union whose term of office shall be for four years, and who shall be nominated in the primary and elected in the general election, beginning in 1960. He shall take office January 1, 1961. The term of office of the judge serving the court on the effective date of this act, or any successor to the office prior to January 1, 1961, shall be extended to January 1, 1961.

The judge shall be a resident practicing attorney of the Union County Bar and must have had at least three years' experience as a practicing attorney. Before assuming the duties of office, the judge

shall take such oath as may be prescribed by the residing judge of the Seventh Judicial Circuit.

In case of the absence or inability of the judge to act at the time fixed for holding a term of court, or in case of his disqualification for any reason, the Governor may appoint some suitable person, upon the recommendation of a majority of the Union County Legislative Delegation, including the Senator, to hold such term or terms of the court as may be designated by the Governor."

SECTION 2. Section 3 of Act 80 of 1955, amended—Solicitor of Civil and Criminal Court of Union—election—term—qualifications—substitute.—Act No. 80 of the Acts of 1955, as amended, is further amended by striking out all of Section 3 of the act, and inserting in lieu thereof the following which shall be Section 3:

"Section 3. There shall be a solicitor for the Civil and Criminal Court of Union whose term of office shall be for four years, and who shall be nominated in the primary and elected in the general election, beginning in 1960. He shall take office January 1, 1961. The term of office of the solicitor serving the court on the effective date of this act, or any successor to the office prior to January 1, 1961, shall be extended to January 1, 1961. In case of a vacancy, the successor shall serve for the unexpired portion of the term and shall be appointed by the Governor upon the recommendation of a majority of the Union County Legislative Delegation, including the Senator.

The solicitor shall be a resident practicing attorney and a member of the Union County Bar. He shall not practice law in criminal cases in the magistrates' courts of Union County nor shall he appear for the defense in any criminal case in a court of general sessions for Union County in which the Civil and Criminal Court of Union has concurrent jurisdiction with the court of general sessions. He shall take such oath of office as may be prescribed by the residing judge of the Seventh Judicial Circuit.

In case of sickness, disability or the inability of the solicitor to serve at any term of court, the judge of the court may call upon the circuit solicitor or appoint some other attorney to serve in his place."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1959.

Approved the 12th day of March, 1959.

(R111, H1233)

No. 62**An Act To Repeal Act No. 253 Of 1955, Relating To Open Season For The Hunting Of Turkey.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 253 of 1955 repealed.—Act No. 253 of the Acts of 1955 is hereby repealed.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R113, H1245)

No. 63**An Act To Amend Act No. 488 Of The Acts Of 1944, As Amended, Relating To The Creation Of The Commission Of Sanitation For The Greater Greenville Sewer District, So As To Give The Commission The Power To Establish Certain Rules And Regulations And To Provide A Penalty For The Violation Of Such Rules And Regulations.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 488 of 1944, amended—Commission of Sanitation of Greater Greenville Sewer District to make rules and regulations—penalties.—Section 1 of Act No. 488 of the Acts of 1944, as amended, is further amended by adding at the end thereof the following: "The Commission shall have the power to make rules and regulations concerning the hours and days during which garbage may be disposed of. Any person violating any of such rules or regulations shall be guilty of a misdemeanor and upon conviction thereof, shall be fined not exceeding one hundred dollars or be imprisoned for a period of not exceeding thirty days."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R114, H1249)

No. 64**An Act To Amend Section 71-362, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Home Board, So As To Increase Its Membership.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 71-362, 1952 Code, amended—Greenville County Home Board—members—terms.—Section 71-362, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 71-362. The board shall consist of nine members, all of whom shall be elected and appointed by the county legislative delegation. The term of office shall be three years and until a successor has been appointed.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R115, H1142)

No. 65**An Act Providing For The Election Of The Mayor And Councilmen Of The Town Of Andrews In Georgetown-Williamsburg Counties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of mayor and councilmen for Town of Andrews.—The Mayor and Councilmen of the Town of Andrews in Georgetown-Williamsburg Counties shall be elected for a term of four years.

SECTION 2. Terms—further.—The three councilmen receiving the greatest number of votes in the next ensuing election shall hold office for four years and the three councilmen receiving the next highest number of votes shall hold office for a term of two years.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1959.

(R116, S40)

No. 66

An Act To Ratify An Amendment To Article V, Section 20, Of The Constitution Of South Carolina, 1895, So As To Permit The General Assembly To Fix The Terms Of Magistrates, And To Provide For The Filling Of Vacancies In The Office Of Magistrate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 20, Article V, State Constitution, ratified—magistrates—appointment—terms—vacancies—powers—jurisdiction—salary.—The amendment to Article V, Section 20 of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 460 of 1957, having been submitted to the qualified electors in a manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so that when amended Article V, Section 20 of the Constitution of South Carolina, 1895, shall read as follows :

“Section 20. The number of magistrates authorized by law for each county shall be appointed and commissioned by the Governor, by and with the advice and consent of the Senate. They shall hold their offices for terms as may be fixed by the General Assembly and until their successors are appointed and qualify. The terms need not be uniform in the State or in any County. Any vacancy occurring in the office of any magistrate prior to the expiration of his term shall be filled in the manner provided by law for the original appointment for the unexpired term only. Each magistrate in the several counties shall have the power, when authorized under the laws governing his county, to appoint such constables as may be authorized, which constable shall execute writs and processes issued by him. The magistrates now in office shall serve until the expiration of their present terms. Their successors shall hold for terms now provided by law, unless changed by the General Assembly. Magistrates in the several counties shall

have such jurisdiction in civil matters as may be fixed by the General Assembly. Each magistrate shall receive a salary, to be fixed by the General Assembly, in lieu of all fees in criminal cases.”

Ratified the 11th day of March, 1959.

(R117, S57)

No. 67

An Act To Provide For The Protection And Policing Of The State House, Governor's Mansion, State Office Buildings, And The Grounds Thereof; To Prohibit Trespassers Thereon And Damage Thereto; To Regulate And Control The Use Of The Parking Facilities, Alleys, and Driveways; To Provide Penalties For The Violations Hereof; To Empower Watchmen And Policemen Employed By The State, Highway Patrolmen, And Policemen Of The City Of Columbia To Enforce The Provisions Of This Act And The General Criminal Laws Of The State In The Area; To Allow The Use Of Parking Tickets Or Courtesy Summons In Connection With The Enforcement Of The Traffic Laws And To Vest The City Recorder And Magistrate Of The Columbia District With Jurisdiction Over The Offenses Herein Referred To.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to trespass on or to damage state property.—It shall be unlawful for any person to trespass upon the grass plots or flower beds of the grounds of the State House or the Governor's Mansion, or of the grounds surrounding any of the State Office Buildings located in the area bounded by Assembly, Gervais, Bull, and Pendleton Streets in the City of Columbia, to damage or deface any of the buildings, or to cut down, deface, mutilate or otherwise injure any of the statues, trees, shrubs, grasses or flowers on the grounds or commit any other trespass upon any property of the State, real or personal, located thereon.

SECTION 2. Unlawful to park near certain State buildings.—It shall be unlawful for any person, except State officers and employees and persons having lawful business in the buildings, to use any of the driveways, alleys, or parking spaces upon any of the property of the State, bounded by Assembly, Gervais, Bull and Pendleton

Streets in the City of Columbia upon any regular weekday, Saturdays and holidays excepted, between the hours of 8:30 A. M. and 5:30 P. M., whenever the buildings are open for business.

SECTION 3. Certain persons to use lot on corner of Main and Senate Streets.—The parking lot located on the corner of Main and Senate Streets shall be reserved exclusively for members of the General Assembly, the clerks, chaplains, sergeants at arms, reading clerks of both Houses and the Director of the Legislative Council during such time as the Legislature is in session, after which they shall be reserved as other State parking lots. The use of this lot by unauthorized persons shall constitute a misdemeanor, punishable as hereinafter provided for.

SECTION 4. Certain parking illegal.—It shall be unlawful for anyone to park any vehicle except in the spaces and manner now marked and designated or that may hereafter be marked and designated by the State Budget and Control Board, in cooperation with the Highway Department, or to block or impede traffic through the alleys and driveways.

SECTION 5. Speed limits.—It shall be unlawful to operate a motor vehicle on any of this property at a speed in excess of ten miles per hour. All of the State laws regulating traffic upon the highways and streets shall apply to the operation of motor vehicles within the area, except as modified hereby.

SECTION 6. Criminal laws to be in effect within area.—All of the general criminal laws of the State are hereby declared to be in full force and effect within the area.

SECTION 7. Watchmen and policemen to have powers of constables.—The watchmen and policemen employed by the Budget and Control Board for the protection of the above designated property are hereby vested with all of the powers, privileges and immunities of constables while on the area outlined above or in fresh pursuit of those violating the law in this area, provided that such watchmen and policemen take and file the oath required of peace officers, execute and file bond in the form required of State Constables, in the amount of one thousand dollars, with the Budget and Control Board, and be duly commissioned by the Governor.

SECTION 8. Other police officers to enforce laws within area.—In addition to the enforcement of this act by the watchmen men-

tioned above, all lawful highway patrolmen and police officers of the City of Columbia are authorized and empowered to enforce the criminal laws of this State and the provisions of this act within the area mentioned above.

SECTION 9. Penalties.—The violation of any of the provisions of Sections 2, 3, 4 and 5 hereof shall constitute a misdemeanor and, upon conviction thereof, the offender shall be punished by a fine of not more than one hundred dollars or imprisonment for not more than thirty days. The penalties for violation of any of the other criminal laws of the State shall be as now provided for by law.

SECTION 10. Issuance and use of parking tickets.—In connection with traffic and parking violations only, the watchmen and policemen above referred to, State Highway Patrolmen, and policemen of the City of Columbia shall have the right to issue and use parking tickets of the type now used by the City of Columbia, with such changes as are necessitated hereby, to be prepared and furnished by the Budget and Control Board, upon the issuance of which the procedures shall be followed as now prevail in connection with the use of parking tickets by the City of Columbia. Nothing herein shall restrict the application and use of regular arrest warrants.

SECTION 11. Jurisdiction of City Recorder and Magistrate within area.—The Recorder of the City of Columbia and the Magistrate of the Columbia District are hereby separately vested with all jurisdiction necessary to hear, try and determine criminal cases involving any violations hereof where the punishment does not exceed a fine of one hundred dollars or imprisonment of thirty days.

SECTION 12. Permission to use State House grounds may be granted.—Nothing contained herein shall be construed to abridge the authority of the State Budget and Control Board to grant permission to use the State House grounds for educational, electrical decorations and similar purposes.

SECTION 13. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R119, S70)

No. 68

An Act To Amend Section 33-222, Code Of Laws Of South Carolina, 1952, Relating To The Advertisement For Contracts And Awarding Of Bids And Making Of Purchases By The State Highway Department, As Amended, So As To Provide For Extending Contracts To Include Additional Work Not Contemplated In The Original Award.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-222, 1952 Code, amended—Highway Department to advertise for certain contracts—extensions—exceptions.—Section 33-222, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 33-222. (a) Awards by the State Highway Department of construction contracts for ten thousand dollars and more shall be made only after the work to be awarded has been advertised for at least two weeks in one or more daily newspapers in this State, but where circumstances warrant, the Department may advertise for longer periods of time and in other publication media. Awards of contracts, if made, shall be made in each case to the lowest qualified bidder whose bid shall have been formally submitted in accordance with the requirements of the State Highway Department. *Provided*, that in cases of emergencies, as may be determined by the Chief Highway Commissioner, the Department may, without formalities of advertising, employ contractors and others to perform construction or repair work, or furnish materials and supplies for such construction and repair work, but all such cases of this kind shall be reported in detail and made public at the next succeeding meeting of the State Highway Commission.

(b) Unless approved in advance by the State Highway Commission, no construction contract shall be extended to include work not contemplated in the original award, except within the limitations imposed by said contract. Where, however, in the judgment of the Chief Highway Commissioner and the State Highway Engineer it is in the public's interest, and prices advantageous to the Department are obtained, the Department may extend contracts to include additional work in advance of the approval of the Commission, if, on the other hand, to delay such an extension until the next Commission meeting, an advantage to the Highway Department would be lost : but in every such case, every such contract extension shall be subject

to approval by the Commission at the next succeeding meeting; *provided*, however, that any such extension of contracts to include additional work in advance of the approval of the Commission shall not exceed 35% of the total amount of the original contract being so extended, or the sum of \$50,000.00, whichever amount is the lesser. Advertisement in the case of extensions of contracts under this paragraph shall consist of detail reports of the transactions made public at opening meetings of the Commission.

(c) The State Highway Department may without formalities of advertising enter into lawful and appropriate agreements and contracts with railroad companies for the construction, reconstruction, or modifications of railroad-highway grade separation crossings, or track or other property rearrangement, and with other persons, firms, and corporations, similarly jointly interested in particular items as property owners or lessees, for moving, clearing, rearranging, or relocating public utilities, buildings and other structures."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of March, 1959.

(R120, S82)

No. 69

An Act To Amend Section 15-1813, Code Of Laws Of South Carolina, 1952, Relating To The Practice Of Law By Masters In Certain Counties And Providing Exceptions Thereto, So As To Eliminate Chesterfield County From The Provisions Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1813, 1952 Code, amended—special provisions for masters in certain counties—Chesterfield County deleted therefrom.—Section 15-1813, Code of Laws of South Carolina, 1952, relating to the practice of law in certain counties and providing exceptions thereto, is amended by deleting therefrom the exception relating to Chesterfield County, so that when so amended it shall read as follows:

“Section 15-1813. The provisions of Section 15-1812 shall not apply to the masters for Aiken, Barnwell, Florence, Richland and Sumter Counties.

The master for

(a) Kershaw County shall be allowed to practice in the court of common pleas on the law side of the court;

(b) Abbeville County, if otherwise qualified, shall be allowed to practice law in all of the courts in this State and the United States except in matters of equity in which he may have to act officially;

(c) Lee County, if otherwise qualified, may practice law in all of the courts in this State and the United States except in equity matters in the court of common pleas of Lee County;

(d) Horry County shall not be restricted in the practice but all cases in which he acts as attorney shall be tried by the clerk of court as special master or by such other person as may be appointed by the court as special master; and

(e) Berkeley County shall be allowed to practice law in all of the courts of this State and the United States except in equity matters in the Court of Common Pleas of Berkeley County.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R124, S112)

No. 70

An Act To Amend Sections 3-248, 3-249.2 And 3-249.4, Code Of Laws Of South Carolina, 1952, Relating To Referenda On Annual Assessments On Tobacco Acreage, So As To Provide That The Members Of The Board Of Directors Of Tobacco Associates, Incorporated, With The Approval Of A Majority Of The South Carolina Directors, May Levy Assessments Not To Exceed Forty Cents Per Acre Of Tobacco If The Referenda Results Favorably Thereto.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3-248, 1952 Code, amended—referendums to be held concerning annual assessment on tobacco acreage.—Section 3-248, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 3-248. In the manner in this article set forth and under rules and regulations as established under the provisions of this article there shall be held in every county in the State in which flue-cured tobacco is produced a referendum to be participated in by all farmers engaged in the production of flue-cured tobacco who have tobacco marketing cards issued in their names by the Farm Production and Marketing Administration or its successors. In such referendum such individuals so eligible for participation shall vote upon the question of whether or not there shall be levied an annual assessment for a period of three years in an amount not to exceed forty cents per acre on all tobacco acreage, the exact amount per acre to be determined by the members of the board of directors of Tobacco Associates, Incorporated, subject to the approval of the majority of the South Carolina members of such board of directors.”

SECTION 2. Section 3-249.2, 1952 Code, amended—question in referendum.—Section 3-249.2, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 3-249.2. Any such referendum shall be upon the question of whether or not the farmers eligible for participation therein and voting therein shall vote upon themselves, for the period of three years, an assessment not to exceed forty cents per acre on all tobacco acreage in the State for the purpose of providing farmer participation in the fund and through the agency established for the stimulation, expansion and development of export markets for flue-cured tobacco, the exact amount per acre of the assessment to be determined by the members of the board of directors of Tobacco Associates, Incorporated, subject to the approval of the majority of the South Carolina members of such board of directors.”

SECTION 3. Section 3-249.4, 1952 Code, amended—assessment to be collected if two thirds vote in favor of it.—Section 3-249.4, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 3-249.4. If in any such referendum two thirds or more of the tobacco farmers voting thereon shall vote in the affirmative and in favor of the levying or collection of such assessment not to exceed

forty cents per acre on all tobacco acreage in the State, the exact amount per acre to be determined by the members of the board of directors of Tobacco Associates, Incorporated, subject to the approval of the majority of the South Carolina members of such board of directors, such assessment shall be collected in the manner provided in this article."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R125, H1091)

No. 71

An Act To Designate And Define The Wards In The Town Of Ocean Drive Beach In Horry County And To Provide For The Election Of The Officers Of The Town.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Ocean Drive Beach—wards defined.—The Town of Ocean Drive Beach is divided into two wards described as follows: Ward 1 shall consist of all of the property within the corporate limits of the Town of Ocean Drive Beach lying southwest of a line commencing at a point where the Atlantic Ocean and Main Street of Ocean Drive Beach corner; thence following Main Street to its intersection with the City Limits. Ward 2 shall consist of all of the property within the limits of the Town of Ocean Drive Beach lying to the northeast of the above mentioned dividing line.

SECTION 2. Election and terms of mayor and councilmen.—The Town of Ocean Drive Beach shall be governed by a mayor and four councilmen. The mayor shall be elected by the qualified electors at large for a term of two years and until his successor is elected and qualified. On April 7, 1959, two councilmen shall be elected from each ward by the qualified electors of such ward. The terms of office shall be for two years and until their successors are elected and qualified, except that for the initial terms the council-

men from each ward receiving the smaller number of votes shall serve for a period of one year. In the case of a tie, lots shall be drawn to determine which councilmen shall serve the two-year term.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R126, H1156)

No. 72

An Act To Exempt The Property Of The Society For The Welfare Of The Aged Of Charleston In Charleston County From Taxation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Society for the Welfare of the Aged in Charleston exempt from taxes.—The property owned and operated by the Society for the Welfare of the Aged located on 50 Rutledge Avenue, on the east side of Rutledge Avenue between Queen and Beaufain Streets, in the City of Charleston, County of Charleston, shall be exempt from all county and city taxes so long as the property is used for charitable and eleemosynary purposes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect as of January 1, 1959.

Approved the 12th day of March, 1959.

(R127, H1235)

No. 73

An Act To Ratify An Amendment To Article V, Section 21 of The Constitution Of South Carolina, 1895, Relating To The Jurisdiction Of Magistrates, So As To Increase The Jurisdiction In Civil Cases Of The Magistrates Of Charleston County To

Where The Value Of The Property In Controversy Or The Amount Claimed Is Not More Than Two Hundred And Fifty Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 21, Article V, State Constitution, ratified—civil jurisdiction of magistrates in Charleston County increased.—The amendment to Article V, Section 21 of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 522 of 1957, having been submitted to the qualified electors in the manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution, so that there will be added to Section 21, Article V, of the Constitution of South Carolina, 1895, the following: "*Provided*, that the jurisdiction of the magistrates of Charleston County in civil cases shall extend to where the value of the property in controversy or the amount claimed is not more than two hundred and fifty dollars."

Ratified the 11th day of March, 1959.

(R128, H1251)

No. 74**An Act Authorizing The Judge Of Probate For Cherokee County To Appoint A Deputy Judge Of Probate.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County Judge of Probate may appoint deputy judge.—The Judge of Probate of Cherokee County may appoint a deputy judge of probate. Such appointment shall be evidenced by a certificate thereof signed by the judge of probate and filed in his office.

SECTION 2. Oath and duties.—Before entering upon the duties of deputy judge of probate, such deputy shall take the oath prescribed by the constitution and when so qualified, the deputy may do and perform all of the duties appertaining to the office of his principal, and all acts, judgments, decrees, orders, licenses and any and every act or deed necessary to the orderly discharge of the duties and powers of the office of the Probate Judge of Cherokee County, when done in

the name of the judge of probate by his deputy judge of probate as such shall have the same force and effect in law as if performed by the judge of probate in person.

SECTION 3. Bond.—The deputy judge of probate, before entering upon the discharge of his duties, shall enter into a bond as required of the judge of probate and in the same sum as that of the judge of probate, conditioned for the faithful discharge of his duties, the premiums on which bond shall be paid for by Cherokee County.

SECTION 4. Term.—The deputy judge of probate shall continue in office during the pleasure of the Judge of Probate for Cherokee County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R132, S130)

No. 75

An Act To Amend Section 14-1559, Code Of Laws Of South Carolina, 1952, Relating To The County Attorney For Colleton County, So As To Define His Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1559, 1952 Code, amended—employment of county attorneys for Colleton County—duties.—Section 14-1559, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 14-1559. The county supervisor shall employ county attorneys, upon such terms as he may deem to be in the best interest of the county or as may be provided by law. The attorney shall advise, counsel and represent the county hospital board, all other boards, commissions and agencies now existing or which may hereafter be created in Colleton County except school boards.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R133, H1134)

No. 76

An Act To Exempt Property Of Laurens County Shrine Club, Incorporated, In Laurens County From Taxation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of Laurens County Shrine Club, Inc., exempt from taxes.—The property of Laurens County Shrine Club, Incorporated, in Laurens County shall be exempt from all municipal and county taxation.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R134, H1238)

No. 77

An Act To Amend Act No. 657 Of The Acts Of 1954, Relating To Masters In Equity, So As To Make Further Provisions For The Master In Equity For Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-1801, 1952 Code, as amended by Section 2 of Act 657 of 1954, further amended—Master in Equity for Berkeley County to hear certain cases.—Section 2 of Act No. 657 of the Acts of 1954 is amended to read as follows:

“Section 2. Section 15-1801, Code of Laws of South Carolina, 1952, is amended by striking out all of same and inserting in lieu thereof the following:

‘Section 15-1801. The office of referee and the practice of referring cases to referees as provided in this Code shall not exist

or be used in the counties of Abbeville, Aiken, Barnwell, Charleston, Chesterfield, Dillon, Florence, Greenville, Horry, Kershaw, Lee, Richland, Saluda, Spartanburg and Sumter. In these counties the office of master is established. There shall be one master in each such county. *Provided*, that in Berkeley County there is hereby established the office of master who shall hear and determine only such cases as are referred to him as master.'"

SECTION 2. Section 15-1813, 1952 Code, as amended by Section 3 of Act 657 of 1954, further amended—**Master in Equity for Berkeley County may practice law in certain courts.**—Section 3 of Act No. 657 of the Acts of 1954 is amended to read as follows:

"Section 3. Section 15-1813, Code of Laws of South Carolina, 1952, is amended by adding a new subsection, to be subsection (f), to read as follows:

'(f) Berkeley County shall be allowed to practice law in all of the courts of this State and the United States.'"

SECTION 3. Section 5 of Act 657 of 1954 repealed.—Section 5 of Act No. 657 of the Acts of 1954 is hereby repealed.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R138, S123)

No. 78

An Act To Provide For The Jurisdiction Of The Magistrate Of Any District In Lexington County Over Any Adjacent Magisterial District Where Such Other Magistrate Is Absent For A Period Exceeding Five Days.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lexington County Magistrates to have jurisdiction in adjacent districts during certain absences.—The Magistrate of any district of Lexington County shall have jurisdiction for all purposes arising in any adjacent magisterial district of Lexington County

where such other magistrate is absent from his office due to illness, vacation or for any other reason, in excess of five days. Such absence from his office of a magistrate shall be substantiated by a sworn affidavit of the moving party.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R140, S139)

No. 79

An Act To Authorize The Clerk Of Court Of Aiken County To Destroy Certain Records.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Aiken County Clerk of Court may destroy certain records.—The Clerk of Court of Aiken County is authorized to destroy the record of chattel mortgages more than seven years old, except those which have been renewed of record by refileing and reindexing during the past three years, as authorized by Section 60-306, Code of Laws of South Carolina, 1952, and except such mortgages executed by any public service corporation or given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R141, H1196)

No. 80

An Act To Exempt Property Of The All Saints Protestant Episcopal Church, Cherokee Road, Florence, South Carolina, From Taxation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of All Saints Protestant Episcopal Church in Florence exempt from taxes.—The property of the All-Saints Protestant Episcopal Church, located on Cherokee Road, Florence, South Carolina, shall be exempt from municipal and county taxation.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R142, H1216)

No. 81

An Act To Amend Section 21-552, Code Of Laws Of South Carolina, 1952, Relating To The Use Of State-Adopted Textbooks, So As To Allow School District No. 52 In Greenwood County To Use Other Types Of Textbooks.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-552, 1952 Code, amended—certain counties and school districts not required to use State-adopted textbooks—Greenwood County School District 52 to be included.—Section 21-552, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 21-552. The County Boards of Education of Colleton, Florence, Marlboro and York Counties, the Board of School Commissioners in District No. 17 in Sumter County and the Board of Trustees of School District No. 52 in Greenwood County, shall not be required to use or select State-adopted textbooks, but it shall be lawful for the public schools of such counties and districts to use such books as may be selected by the appropriate county or district board. The high schools of Cherokee County shall be permitted to use not more than twenty-five per cent of textbooks that are not State adopted. The County Board of Education of Chester County may select from the adopted list of the State Board of Education, in cooperation with a committee of superintendents, principals and

teachers in the schools of the county selected by the county board of education, a list of such books as they deem best suited for use in the schools of Chester County. The board and this committee shall state the basic order in which books shall be used in the schools of Chester County, and the use in this order shall be required of all the teachers in the county. No revised edition of any books adopted for use in the schools of Chester County shall be used within a six-year period without the approval of the county board of education. In Marion County State-adopted textbooks only shall be used, except that this requirement as to the exclusive use of State-adopted textbooks shall not apply in case or to the extent a free system is set up. The County Board of Education of Union County shall use State-adopted textbooks, except when, in the opinion of the county board, a change in some particular book or books is desirable."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R143, H1261)

No. 82

An Act To Establish When Returns Of Real Estate And Improvements Shall Be Made In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Time for making returns of real estate in Greenville County to be set by Auditor.—Notwithstanding the provisions of Section 65-1614 and Section 65-1616, Code of Laws of South Carolina, 1952, all persons residing in Greenville County who are required by law to make returns of personal property shall make full returns of all real estate and improvements thereon when directed to do so by the Auditor of Greenville County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R144, H1267)

No. 83**An Act To Provide For The Establishment Of The Lake City Planning And Development Board.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lake City Planning and Development Board created.—A board which shall be known as the Lake City Planning and Development Board shall be appointed by the governing body of the city of Lake City.

SECTION 2. Members—terms—vacancies.—The board shall consist of five members who shall be appointed for terms of four years and until their successors are appointed and qualified, except that of the members first appointed two shall be appointed for two years. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term.

SECTION 3. Purpose.—The function of the board shall be to encourage the location of industry and the tourist trade and the promotion of adequate markets for the products grown by the farmers of the surrounding area of Lake City through the institution of an advertising program, through cooperative efforts with other organizations having similar aims and through such other activities as will tend to accomplish the purposes of the board.

SECTION 4. Meetings and officers.—The board shall hold its first meeting within ten days after its appointment. At its first meeting the board shall elect a chairman and such other officers as is deemed necessary. The board shall meet at such times and places as may be determined by the chairman and shall serve without compensation.

SECTION 5. Cooperate with other agencies.—For the purposes of carrying out the provisions of this act, the board is authorized to cooperate with the State Development Board, all towns, chambers of Commerce, business leagues, civic clubs and all other agencies and organizations within and without the city which the board may desire to cooperate with in the furtherance of the development and advertisement of Lake City and its surrounding trade area.

SECTION 6. Accept gifts and grants.—The board may accept gifts and grants of money from either private or public sources and may do such other things as it deems necessary in order to carry out

the program, including the power and authority to acquire, hold, option, encumber and convey outright for consideration or by gift any and all lands, leases, structures and facilities that are designed to promote and accomplish the purposes of this act.

SECTION 7. Service on board not to affect dual office holding.—Any person serving on this board shall be exempt from the provisions of law relating to dual office holding.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R146, H1231)

No. 84

An Act To Amend Sub-Section 38 Of Section 15 Of Part II Of Act No 813 Of The Acts And Joint Resolutions, 1956, And Section 38 Of Act No. 820 Of The Acts And Joint Resolutions, 1956, Relating To Sentences For Violations Of Liquor Laws, So As To Give Judges Additional Discretionary Powers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection 38 of Section 15, Part II of Act 813 of 1956 amended—trial judge may impose certain sentences.—Subsection 38 of Section 15 of Part II of Act No. 813 of the Acts and Joint Resolutions, 1956, is amended to read as follows:

“Sub-section 38. The trial judge, in his discretion, may impose sentences under the provisions of this section, or any portion thereof, of a fine or by imprisonment of not less than one-half the fine or imprisonment prescribed for conviction under the provisions of this section.”

SECTION 2. Section 38 of Act 820 of 1956, amended—trial judge may impose certain sentences.—Section 38 of Act No. 820 of the Acts and Joint Resolutions, 1956, is amended to read as follows:

“Section 38. The trial judge, in his discretion, may impose sentences under the provisions of this section, or any portion thereof,

of a fine or by imprisonment of not less than one-half the fine or imprisonment prescribed for conviction under the provisions of this section.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R147, H1232)

No. 85

An Act To Amend The Code Of Laws Of South Carolina, 1952, As Amended, Relating To Inheritance Tax, By Adding Thereto A New Section, To Be Known As Section 65-456, So As To Provide For Compromise Of South Carolina Inheritance Taxes In Cases Of Domiciliary Disputes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Code of 1952 amended—Section 65-456 added—Tax Commission may make compromises concerning inheritance taxes in cases of domiciliary disputes.—The Code of Laws of South Carolina, 1952, as amended, relating to inheritance tax, is further amended by adding thereto a new section, to be known as Section 65-456, which shall read as follows:

“Section 65-456. When the Commission claims that a decedent was domiciled in this State at the time of his death and the taxing authorities of another state or states, territory or possession of the United States, or the District of Columbia make a like claim on behalf of their states, territory or possession of the United States, or the District of Columbia, the said Commission with the approval of the Attorney General, may make a written agreement of compromise with the other taxing authorities and the executor or administrator of a decedent that a certain sum may be accepted in full satisfaction of any and all inheritance and estate taxes imposed by this State, including any interest or penalties to the date of signing of the agreement. The agreement shall also fix the amount to be accepted by the other states in full satisfaction of inheritance and

estate taxes. Unless the tax so agreed upon is paid within sixty days after execution of the agreement, interest or penalties shall thereafter accrue upon the amount fixed in the agreement, but the time between the decedent's death and the signing of such agreement shall not be included in computing the interest or penalties, provided that such agreement is consummated during the twelve month period following decedent's death."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R149, H1318)

No. 86

An Act To Exempt Property Of The Carolina Low Country Girl Scout Council, Inc. Located In Charleston County From Taxation, Except State Taxes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Carolina Low Country Girl Scout Council, Inc., in Charleston County exempt from taxes.—All of the property of the Carolina Low Country Girl Scout Council, Inc. in Charleston County shall be exempt from all taxes, save and except such as are levied by the State, so long as the property is maintained, operated and utilized for girl scout purposes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R150, S117)

No. 87

An Act To Amend Act No. 667 Of The Acts Of 1956 Relating To Open Seasons For Deer And Turkey In Game Zone No. 2 And Relating To The Penalty For Violations So As To Extend The Season And To Prescribe A Minimum Fine.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 667 of 1956, amended—Game Zone 2—Wildlife Resources Department may make studies of, and declare open seasons on, deer and turkey.—Section 1 of Act No. 667 of the Acts of 1956 is amended to read as follows:

“Section 1. The Director of the Division of Game of the Wildlife Resources Department shall have the authority to make special studies of the areas in Game Zone No. 2 which have been restocked with deer and wild turkey, and may, after careful study, declare open seasons of such duration as he deems advisable for the taking of these deer and turkey, provided that the Director may not open the deer season except at any time between October first and January first, and the turkey season except at any time between the day before Thanksgiving and April fifteenth.”

SECTION 2. Section 3 of Act 667 of 1956, amended—penalties.—Section 3 of Act No. 667 of the Acts of 1956 is amended to read as follows:

“Section 3. Any person taking, attempting to take, or having in his possession either deer or turkey illegally; or taking, attempting to take, or killing deer or turkey in any way not prescribed by the Director, shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or imprisonment for not more than thirty days.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R151, S160)

No. 88**An Act To Provide For The Establishment Of The Civil And Criminal Court Of Colleton County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil and Criminal Court of Colleton County established.—There is hereby established for Colleton County a court inferior to the circuit court which shall be known as “The Civil and Criminal Court of Colleton County” hereinafter referred to as the Court. The establishment of such Court is deemed necessary by the General Assembly for all that part of Colleton County except the part of such county which is known as Hutchinson, Otter and Ashe Islands.

SECTION 2. Judge — appointment — qualifications — term—vacancy.—The Governor shall appoint a judge for the Civil and Criminal Court of Colleton County, hereinafter referred to as the Judge, upon the recommendation of a majority of the members of the Colleton County Legislative Delegation, including the Senator. The Judge shall be a resident practicing attorney of the Colleton county bar with at least two years’ experience as an active practitioner and shall qualify and take the oath of office provided for circuit judges. The term of office of the Judge shall be for four years from the date of his qualification and he shall serve until his successor is likewise appointed and shall have qualified. In case of a vacancy in such office the Governor shall appoint his successor for the unexpired term in like manner upon the recommendation of a majority of the Colleton County Legislative Delegation, including the Senator.

SECTION 3. Appropriations.—The annual salary of the Judge and such funds as are necessary to pay for office rent and expenses shall be appropriated annually in the Colleton County Supply Act.

SECTION 4. Special judge.—In case of the absence or inability to act of the Judge at the time fixed for holding the terms of the Court or in case of his disqualification for the trial of any case in the Court, the Governor may, upon request of the Judge or a majority of the members of the Colleton County Legislative Delegation, including the Senator, appoint some other suitable person, being an attorney at law, to hold such term or terms of the Court as may be designated by the Governor or to try any special case, as special

judge. Any such special judge shall be entitled to the same per diem as special circuit judges are now allowed by law.

SECTION 5. Solicitor—duties—substitute.—The circuit solicitor shall be the solicitor for the Court and shall receive no compensation therefor except that provided for him as his salary as circuit solicitor. In case of the sickness, disability or inability to serve of the circuit solicitor for any reason at any term or in case the Judge may appoint upon the recommendation of the solicitor some attorney to serve in his place. The circuit solicitor shall appear for and represent the State in all criminal cases tried in the Court, he shall prepare and hand out to the grand jury all such indictments as may be necessary, he shall appear for and represent the State in all appeals from the Court and he shall also appear for and represent the State in all appeals in criminal cases from the magistrate's court to the Court. The circuit solicitor shall also advise with and aid the grand jury of the county in its duties and the coroner or magistrate in inquisitions.

SECTION 6. Stenographers.—The circuit court stenographer shall be the stenographer for the criminal terms of the Court and he shall attend upon the criminal sessions of the Court and perform the duties in connection therewith that he performs in the circuit court. He shall receive no compensation therefor except that provided for him as his salary as circuit court stenographer. The Judge shall appoint a suitable stenographer for the civil terms and such stenographer shall be compensated as provided in the annual Colleton County Appropriations Act. The stenographer shall furnish transcripts of the proceedings upon request of the parties litigant and shall be entitled to receive as compensation therefor a fee of five cents per hundred words for all transcripts so furnished, which shall be paid by the litigant requesting the same, except that in criminal cases when the defendant may satisfy the Court that he is unable to pay for such transcript the same shall be furnished without fee by the court stenographer. The stenographer shall write out for the Judge and the circuit solicitor without charge such records, excerpts and transcripts as they may require. Should the circuit stenographer be unable to attend upon the criminal terms of the Court the Judge may appoint a suitable stenographer.

SECTION 7. Clerk of Court—fees—duties.—The clerk of the circuit court shall be ex officio clerk of the Court and shall keep such

calendars, minutes and records of the Court and the cases therein pending and attend and perform the duties as the clerk thereof as required of him by law as clerk of the circuit court. The costs and fees of the clerk in civil cases in the Court shall be the same as those allowed in similar cases in the court of common pleas. In all civil cases tried in the Court the clerk shall make up and file a judgment roll along with and in the same manner as if the judgment had been rendered in the court of common pleas. And he shall also index such judgments in the indices of judgments of the court of common pleas in the same manner as if such judgments were judgments of the court of common pleas for the county.

SECTION 8. Duties of sheriff—bailiffs.—The sheriff of the county or his deputy shall attend upon all sessions of the Court and shall be subject to the orders thereof. He shall execute the orders, writs and mandates of the Court as required by law in reference to the circuit court. The costs and fees of the sheriff in civil and criminal cases in the Court shall be the same as those allowed in similar cases in the court of common pleas and general sessions. The judge shall appoint such bailiffs as may be necessary.

SECTION 9. Quarters.—The governing body of Colleton County shall make provision for holding the sessions of the Court by setting apart suitable quarters in the Colleton County courthouse therefor.

SECTION 10. Record books.—The governing body of the county shall provide all books necessary for keeping records of the Court.

SECTION 11. Court of record—seal—validity of judgments.—The Court shall be a court of record and have a seal inscribed with the words: "Civil and Criminal Court of Colleton County." The same presumption in favor of its jurisdiction and the validity of its judgments and decrees shall hold as in the case of the jurisdiction, judgments and decrees of circuit courts.

SECTION 12. Civil jurisdiction.—The Court shall have concurrent jurisdiction with the court of common pleas in all civil cases and special proceedings, both at law and in equity, in which the amount demanded in the complaint does not exceed five thousand dollars or in which the value of the property involved does not exceed five thousand dollars and in all other civil cases and special proceedings, both at law and in equity, in which there is no money demanded or in which the right involved cannot be measured or fixed

by any monetary value, except that the court shall not have jurisdiction in cases involving title to real property except as hereinafter provided in the next succeeding paragraph.

The Court shall also have concurrent jurisdiction with the court of common pleas to hear and determine actions for divorce from the bonds of matrimony and of all matters determinable in such actions, such as the custody of children, alimony and property rights of the parties, irrespective of the value involved.

SECTION 13. Criminal jurisdiction—solicitor may transfer cases to.—The Court shall have concurrent jurisdiction with the court of general sessions in criminal cases except any case where the penalty may exceed imprisonment for a term of three years or a fine in the amount of three thousand dollars and it shall have concurrent jurisdiction with the magistrates' courts in all criminal cases within the jurisdiction of the magistrates' courts. The circuit solicitor may, in his discretion, transfer to the Court any cases not prohibited by the Constitution of South Carolina, 1895, where true bills of indictment have been found by the grand jury and which are pending in the court of general sessions for Colleton County.

SECTION 14. Appeals jurisdiction.—The Court shall have concurrent jurisdiction with the court of common pleas and the court of general sessions, respectively, to hear and determine all appeals in civil cases and criminal cases that may have originally been within its jurisdiction, respectively, from judgments rendered by the magistrates' courts and all other inferior courts and the proceedings on such appeals shall be the same as provided for appeals in such cases from the magistrates' courts to the court of common pleas and the court of general sessions, respectively. The Court shall also have concurrent jurisdiction with the Court of Common Pleas to hear appeals from the Probate Court and appeals from awards made in condemnation cases and also appeals from awards made by the Industrial Commission of South Carolina under the Workmen's Compensation Law, notwithstanding any other provisions of this act.

SECTION 15. Jurisdiction of judge.—In all cases and special proceedings within the jurisdiction of the Court and pending therein the Judge shall have the same jurisdiction, both in open court and at chambers, as is possessed by the circuit judges over cases pending in the circuit court over which they are presiding or in the circuits in which they are residents

SECTION 16. Powers.—The Judge shall have the power to issue writs of habeas corpus in all cases and to grant bail in all cases triable in the Court.

SECTION 17. Review bail.—The Judge shall also review summarily and without notice upon oral or written application the amount of bail fixed by the clerk of court or any magistrate in the county in any criminal case for the purpose of reducing or increasing such bail pending trial or appeal and he may call to his aid for such purpose the circuit solicitor.

SECTION 18. Terms of court.—The civil terms of the court shall be held on the third Monday of February, the second Monday of May, the fourth Monday of September, the second Monday of October, and the second Monday of November in each year and at such other times as the judge or court shall order and shall continue for such time as is necessary to dispose of the business before the court. The criminal terms of the court shall be held on the first Monday of December, and the fourth Monday of January for a term of one week each and shall continue for such time as is necessary to dispose of the business before the court.

SECTION 19. Court to be open at all times for certain purposes.—The Court shall be open at all times, at the convenience of the Judge, for the purpose of taking pleas of guilty and imposing sentences in all criminal cases within the jurisdiction of the Court with the consent of the accused. The Court shall always be open for the transaction of all business that can be disposed of without a jury.

SECTION 20. Rules of court.—The general laws, statutory provisions and rules of court applicable generally to the circuit courts of this State and the trials of cases therein shall apply to the Court and to the conduct and trial of cases therein when not inconsistent with this act. But any judgment rendered may be entered upon the third day after such rendition or upon the same day with leave of the Court. Any criminal case wherein the punishment may not exceed a fine of one hundred dollars or imprisonment for thirty days shall be tried without presentment by a grand jury on information or indictment filed by the circuit solicitor, *provided*, the warrant is served on the defendant at least ten days before court.

SECTION 21. Forms of pleadings and rules of procedure.—The same forms of pleadings and the same rules of procedure, prac-

tice and evidence shall obtain in the Court as provided by law for the trial of civil and criminal cases in the circuit court when not inconsistent with the provisions of this act. But the pleadings or copies thereof in a case for trial before the Court shall be filed in the office of the clerk of court, as provided by law in the circuit court, before noon of the Monday preceding the first day of the next ensuing term of the Court and the clerk shall forthwith enter the cases upon the appropriate calendar.

SECTION 22. Duties of magistrates.—The Magistrates of Colleton County are required to file promptly with the clerk of the court all papers in criminal prosecutions triable in the Court and they shall make all bonds and recognizances of witnesses and defendants returnable to the next ensuing term of the Court. The clerk of the court shall notify the circuit solicitor upon the filing of such papers and turn them over to him. The magistrates are required to make a list of such witnesses as they deem material on the back of the arrest warrant and, though they shall be careful to furnish the names of witnesses deemed necessary to establish the charge in the warrant, they shall be equally careful not to furnish the names of any witnesses whose testimony is immaterial.

SECTION 23. Grand jury—duties and compensation.—The grand jury drawn for and serving in the Court of General Sessions for Colleton County shall constitute the grand jury of the Court and shall so serve and act upon all necessary indictments of the Court. The grand jury shall attend upon the sessions of the Court whenever notified so to do by request of the circuit solicitor and order of the Judge. The circuit solicitor shall appear at the regular terms of the court of general sessions and may hand out indictments at that time to the grand jury for the Civil and Criminal Court of Colleton County cases and the grand jury shall act upon such indictments as in indictments presented for cases in the court of general sessions. The grand jurors shall receive as compensation for their services in attendance upon the Court the same pay as allowed by law in the court of general sessions.

SECTION 24. Certain actions not required to be heard by master.—Actions on the civil side of court in which reference to a master would under the law otherwise be necessary may be heard and determined by the Judge, either in term time or at chambers, without referring the same, upon testimony taken before the Judge;

and likewise in all cases in which a jury trial may not be necessary or required. All sales shall be made by the master as in cases before the court of common pleas.

SECTION 25. Transfer of cases.—Any case pending in the court of common pleas may be transferred to the Court for trial upon motion, after five days' notice to the opposite party, heard in open court or at chambers, if it shall appear that such action might have been brought originally in the Court and if, in the opinion of the Court or circuit judge at chambers, it would serve the best interests of all parties concerned for such case to be transferred for such trial to the Court; and likewise any case brought in the Court may be transferred to the court of common pleas for trial upon motion of either party, as herein provided for the transfer of cases to the Court, by the Judge, if, in the opinion of such Judge, it would serve the best interests of all parties concerned for such case to be transferred for trial to the court of common pleas.

SECTION 26. Judge may change place of trials.—The Judge may change the place of trial of any case pending in his Court to the circuit court in another county in the same manner as provided by law in respect to changing the place of trial in cases pending in the circuit court.

SECTION 27. Jurors.—The jurors for the Court shall be drawn from the jury box provided for the drawing of jurors in the circuit court.

SECTION 28. Drawing and summoning of jurors.—The law relating to the qualifications, drawing and summoning of jurors in the circuit court shall apply to the Court except that not more than twenty-four persons shall be drawn and summoned to attend at the same time on any session of the Court unless the Judge shall otherwise order and, instead of the notice of drawing required to be given in drawing a jury in the circuit court, the jury commissioners shall give not less than five nor more than ten days' notice before the date fixed for the holding of any court at which jurors are required to attend the drawing of the jury for such term of court.

SECTION 29. Deficiency of jurors.—In case it becomes necessary to supply any deficiency in the number of petit jurors in the Court, whether caused by challenge or otherwise, jurors shall be

drawn from the tales box provided for the circuit court and in the same manner as provided by law for such Court.

SECTION 30. Jurors to serve only once a year.—No one shall be required to serve as a juror in the Court more than once in any calendar year and service as a juror in the Court shall for the purpose of exemption from jury duty in the circuit court be deemed service as a juror in the circuit court.

SECTION 31. Number of jurors.—A jury for the trial of cases in the Court shall consist of six.

SECTION 32. Civil cases—list of jurors—strikes.—In the trial of all civil actions at law in the Court and in the trial of all issues ordered to be framed by the Judge in equity cases in the Court, the clerk of the Court shall furnish the parties or their attorneys with a list of ten of the jurors to be drawn and selected by ballot from the whole number of jurors who are in attendance, the names on said lists to be numbered from one to ten. From such list the parties or their attorneys shall alternately strike by number, the plaintiff striking first, until there shall be left but six names, who shall constitute the jury to try the case or issue. But objections for cause shall be allowed and vacancies in the panel filled in the manner now provided in the court of common pleas.

SECTION 33. Criminal cases—peremptory challenges.—In the selection of a jury for the trial of a criminal case in the Court the accused, when charged with a misdemeanor, shall be entitled to peremptory challenges not exceeding three and the State to two; and in the trial of cases of felony the accused shall be entitled to peremptory challenges not exceeding five and the State to three. When there are two or more persons jointly indicted and so tried the accused shall be jointly entitled to six peremptory challenges in cases of misdemeanor and eight peremptory challenges in cases of felony and no more.

SECTION 34. Costs.—All costs and disbursements allowed the prevailing party and all costs and fees allowed officers of the court in actions in the court of common pleas shall be allowed in actions in the Court.

SECTION 35. Compensation of jurors and witnesses.—Jurors in attendance upon the sessions of the Court shall receive as compen-

sation for their services the same per diem and mileage as is allowed jurors in the circuit court. Witnesses in attendance upon the Court shall receive the same compensation as witnesses in attendance upon the circuit court.

SECTION 36. Appeals.—In all civil actions, criminal cases and special proceedings of which the Court shall have jurisdiction the right of appeal shall be to the Supreme Court and in the same manner and pursuant to the same rules, practice and procedure as now govern appeals from circuit courts.

SECTION 37. Practice of law by judge restricted.—The Judge is prohibited from practicing as an attorney in any criminal or equity matter in any court in Colleton County and is prohibited from practicing as an attorney in any civil cause that may be brought in the Civil and Criminal Court of Colleton County. He is further prohibited from practicing as an attorney in partnership with another attorney anywhere in this State.

SECTION 38. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 39. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of March, 1959.

(R155, H1285)

No. 89

An Act To Amend Act No. 804 Of The Acts Of 1958, Relating To The Establishment Of The Areas Of Voting Precincts In The County Of Spartanburg, So As To Further Define Such Areas.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 (d) of Act 804 of 1958 repealed.—Section 1(d) of Act No. 804 of the Acts of 1958 is amended by striking out all of the section.

SECTION 2. Section 1 (e) of Act 804 of 1958, amended—Ward 1, Box 5, defined.—Section 1 (e) of Act No. 804 of the Acts of 1958 is amended by striking it out and inserting in lieu thereof the following:

“(e) Ward 1, Box 5. That area lying within the following boundaries: commencing at the center of East Main Street and Pine Street in the City of Spartanburg and running east on East Main Street to the intersection of the old city limits line; thence south along the old city limits line to its intersection with Connecticut Avenue; thence north on Connecticut Avenue to Poplar Street, thence west on Poplar Street to Pine Street; thence north along Pine Street to East Main Street, the beginning corner.”

SECTION 3. Section 1 (g) of Act 804 of 1958, amended—Ward 3, Box 1, defined.—Section 1 (g) of Act No. 804 of the Acts of 1958 is amended by striking it out and inserting in lieu thereof the following:

“(g) Ward 3, Box 1. That area lying within the following boundaries: commencing at a point on the old city limits line at its intersection with the northern right-of-way line of Southern Railroad, mainline to Washington, and running with the right-of-way of the railroad to the city limits line; thence south with city limits line to the corner of the property now or formerly belonging to the Duval Development Corporation; thence along the boundary of the property of said Duval Development Corporation; thence continuing south along the city limits line to the intersection of Connecticut Avenue Extension; thence along Connecticut Avenue Extension in a westerly direction to Woodburn Road; thence continuing with Connecticut Avenue in a northerly direction to its intersection with the old city limits line; thence in a northerly direction with old city limits line to the northern right-of-way line of Southern Railroad mainline to Washington, the beginning corner.”

SECTION 4. Section 1 of Act 804 of 1958, amended—paragraph (i-1) added—Ward 3, Box 4, defined.—Section 1 of Act No. 804 of the Acts of 1958 is further amended by adding the following new paragraph, to be known as subparagraph (i-1) to read as follows:

“(i-1) Ward 3, Box 4. That area lying within the following boundaries: commencing at the intersection of Pine Street and Poplar Street in the City of Spartanburg and running east on Poplar Street to Connecticut Avenue; thence south along Connecticut Avenue to Woodburn Road; thence east along Connecticut Avenue to the city limits; thence in a southerly direction with the city limits line to the eastern right-of-way line of Southern Railroad; thence north with southern right-of-way line to its intersection with Marion

Avenue; thence east on Marion Avenue to Pine Street; thence north on Pine Street to Poplar Street, the beginning corner; excluding, however, the following property owned by Draper Corporation: Beginning at a point, said point being 50 feet northeast of the center line of Pine Street (U. S. Highway No. 9), and 100 feet northwest of the extension of the center line of Forest Avenue and running thence N. 40-28 E 850 feet, more or less, to the center line of the Southern Railroad; thence with the center line of said railroad S 49-30 E 1600 feet, more or less, to a point on the southeast side of road crossing said railroad; thence with the southeast side of said road 730 feet, more or less, in a southwestwardly direction to a point 50 feet northeast of the center line of Pine Street (U. S. Highway No. 9), (the tie lines being S 1-00 E 470 feet, more or less, and S 54-30 W 260 feet, more or less); thence along a line parallel to and 50 feet N E of center of Pine Street (U. S. Highway No. 9) N 57-28 W 1850 feet, more or less, to the beginning corner."

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R160, H1333)

No. 90

An Act To Create The Beaufort County Higher Education Commission And To Set Forth Its Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County Higher Education Commission created — members — terms — officers — meetings.—There is hereby created the Beaufort County Higher Education Commission. The commission shall be composed of three members who shall be appointed by the Governor upon the recommendation of a majority of the members of the Beaufort County Legislative Delegation. The members of the commission shall serve for a term of two years or until their successors have been appointed and qualified. Not more than two weeks after its appointment the commission shall meet and

elect a chairman and a secretary from among its membership, and organize further as it may desire. The commission may meet at such times as it may deem necessary, such meetings to be called by the chairman, or upon the written request of two of its members.

SECTION 2. Powers and duties—Advisory Board.—The commission, upon the approval of a majority of its members, may enter into contracts with any institutions of higher learning upon such terms and conditions as may be mutually acceptable to the commission and any such institution of higher learning, for the establishment and operation of an educational center to be a branch of such institution at Beaufort, South Carolina. The commission may obligate itself for the expenditure of a sum for the purposes of this act in an amount not to exceed that which is appropriated by law. The commission may bind itself for the furnishing of suitable facilities and accommodations, for the educational center, when by written prior agreement, it has obtained permission for the furnishing thereof from the authority, agency or board having control of such accommodations. The commission is authorized to accept such gifts as may be appropriate to carry out the provisions of this act. The commission shall appoint a group of not less than five nor more than fifteen interested persons from Beaufort County and the surrounding area, who shall be known as the Beaufort County Higher Education Advisory Board, who may act in an advisory capacity to the commission. Three of the persons so appointed shall be appointed only upon the recommendation of a majority of the Beaufort County Legislative Delegation. The commission shall submit a written report to the Beaufort County Legislative Delegation at least once a year in which it must show an accounting of all funds under the control of the commission.

SECTION 3. Reports.—The commission shall as soon as practicable investigate the steps necessary for the establishment and operation of the educational facilities contemplated by this act and shall make a report to the Beaufort County Legislative Delegation setting forth its findings and recommendations including its findings and recommendations as to budgetary needs. The report required hereby shall be submitted not later than April 15, 1959. Thereafter, the commission shall submit a written annual report to the Beaufort County Legislative Delegation which report shall include a statement of all receipts and disbursements not previously reported and a statement of its estimated financial needs for the ensuing year.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R161, H1366)

No. 91

An Act To Create A Planning And Development Board For Anderson County; To Provide For Its Membership, Powers And Duties; And To Repeal Act No. 400 Of The Acts Of 1957, Which Established The Anderson County Development Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Anderson County Planning and Development Board created—members—terms—vacancies.—There is hereby created the Anderson County Planning and Development Board, which shall consist of twelve members to be appointed by the Governor upon the recommendation of a majority of the Anderson County Legislative Delegation, including the Senator. The governing bodies of each of the incorporated municipalities of Anderson, Belton, Honea Path, Iva, Pelzer, Pendleton, Starr, Williamston and West Pelzer shall, within thirty days from the effective date of this act, select one or more persons who are residents of their respective municipalities, or the vicinity thereof, who are well qualified to serve as members of the board, and shall recommend such one or more persons to the legislative delegation of the county for membership on the board. From the one or more persons selected by the governing bodies of each of the incorporated municipalities named herein, a majority of the Anderson County Legislative Delegation, including the Senator, shall select one member, so that from the nine municipalities there shall be named nine members of the board. Three additional members shall be selected by a majority of the delegation, including the Senator, from the citizens of Anderson County at large. The terms of office of the members shall be for four years and until their successors are appointed and qualify, except that of the members first appointed six shall be appointed for terms of two years. It shall be decided by lot at the first meeting of the board which members shall

serve for four years and which members shall serve for two years. Vacancies in the membership of the board shall be filled for the unexpired term as provided for the original appointment.

SECTION 2. Purpose—duties.—The function of the board shall be to encourage the location of industry, tourist trade and the promotion of adequate markets for the products grown by the farmers of Anderson County by the institution of an advertising program, through cooperative efforts with municipalities of the county and organizations having similar aims, as well as through such other activities as will tend to accomplish the purpose of this act.

The board shall also investigate the water situation in Anderson County and recommend to the delegation methods by which in its judgment water may be made available in adequate volumes to the various communities of Anderson County.

The board shall also make a thorough study and investigation of the advisability and need for zoning in any particular section of the county and, in the event that the zoning of any particular section appears necessary, make suitable recommendations thereabout to the county legislative delegation.

SECTION 3. Meetings—officers.—The board shall hold its first meeting ten days after appointment. At its first meeting the board shall elect a chairman and a secretary from its membership. The board shall meet at such times and places as may be determined by the chairman, but shall hold at least one meeting each quarter.

SECTION 4. Cooperate with other agencies.—For the purpose of carrying out the provisions of this act the board is authorized to cooperate with the Development Board of the State of South Carolina, all towns, chambers of commerce, business leagues, civic clubs and other similar organizations in Anderson County, and all other agencies and organizations within and without the county which the board may desire to cooperate with in the furtherance of the development and advertisement of Anderson County.

SECTION 5. Gifts and grants.—The board is authorized to accept gifts and grants of money from private and public sources to be used in the promotion of the purposes of this act.

SECTION 6. Appropriations.—Such money as may be necessary to carry out the provisions of this act shall be appropriated from

county funds upon authorizations of a majority of the county legislative delegation, including the Senator.

SECTION 7. Repeal—Act 400 of 1957 repealed.—Act No. 400 of 1957, which provides for the establishment of the Anderson County Development Board, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R163, H1369)

No. 92

An Act To Amend Section 21-524, Code Of Laws Of South Carolina, 1952, Relating To The Rental Of Textbooks In York County, So As To Allow The County Board Of Education To Determine The Fee To Be Charged For Such Books.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-524, 1952 Code, amended—rental of textbooks in York County—fees.—Section 21-524, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 21-524. The title to books purchased by the county board of education of York County shall remain in the board. Each pupil in the ninth, tenth, eleventh and twelfth grades of the schools of York County receiving such books free of rental charge shall be charged an annual book fee as may be determined by the county board of education, which fee shall be paid annually in advance upon the opening of the school or upon admission of the pupil to the school.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R164, H1125)

No. 93

An Act To Provide For The Permissive Closing Of Any Bank Located In A County Having A Population Between Ten Thousand Nine Hundred And Fifty And Eleven Thousand According To The Latest United States Census For Any One Day In Any One Week.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain banks may close one day a week.—Any bank located in a county having a population between ten thousand nine hundred and fifty and eleven thousand according to the latest United States census, now or hereafter, may, as the board of directors of such bank may from time to time determine, remain closed one day of each week.

SECTION 2. To be legal holiday.—Any day on which any bank shall remain closed as herein permitted, shall, as to such closed bank, constitute a legal holiday and any act authorized, required, or permitted to be performed at, by or with respect to any such bank on such day when it is closed may be performed on the next succeeding business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R166, H1319)

No. 94

An Act To Amend Subsection (1) Of Section 15-278, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of Court For The Ninth Judicial Circuit, So As To Change The Date Of Commencement Of The June Term Of The General Sessions Court In Charleston County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (1) of Section 15-278, 1952 Code, amended—terms of court for Charleston County.—Subsection (1) of Section 15-278, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“(1) The Court of General Sessions for Charleston County shall be held at Charleston on the first Monday in January for one week, on the first Monday in March for two weeks, on the fourth Monday in May for two weeks, on the second Monday in September for two weeks, and on the first Monday in December for two weeks. The court of common pleas for the county shall be held at Charleston on the second Monday in January for one week for the disposal of motions, equity matters, and any other matters not requiring the attendance of a jury, on the first Monday in February for four weeks for the disposal of jury matters, on the fourth Monday in March for five weeks for jury matters and on the third Monday in October for six weeks, the first of which shall be for the disposal of motions, equity matters, and any other matters not requiring the attendance of a jury, and the remaining five weeks for the disposal of jury matters.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R167, H1348)

No. 95

An Act Providing For The Disposition Of Funds Held By The Probate Judge Of Saluda County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Probate Judge of Saluda County to turn certain funds over to county treasurer.—The Probate Judge of Saluda County is directed to turn over to the county treasurer the funds held by him as credit balances in the various accounts in his office when, in the opinion of the probate judge, the persons entitled to the funds cannot be found after due diligence and when it is probable that the funds will never be claimed by the persons entitled to them.

SECTION 2. Notations to be made in account books—receipt.—

Upon turning over to the county treasurer the credit balances in the various accounts, the probate judge shall enter upon his account book for each account a notation to the effect that the balance was turned over to the county treasurer under the provisions of this act, citing it by giving the number and date of approval.

Upon receipt of such funds the county treasurer shall give the probate judge a proper receipt therefor and he shall credit the funds to the general fund of the county.

SECTION 3. Claims—filing of.—If any person claims any of the money after it has been turned over to the county treasurer, he shall file a written claim therefor with the probate judge. The claim shall state the facts upon which it is based and the probate judge shall determine the validity of the claim as the validity of claims against estates in the course of administration before him are determined. Notice of the filing of the claim shall be given to the county treasurer and to the county attorney by the claimant. The county attorney shall appear in the matter and raise such objections to the allowance of the claim as in his judgment are warranted under the facts of the case. Appeals from the findings of the probate judge may be had as provided by law in the case of appeals from any decision on a claim filed against an estate administered before him.

No claim shall be filed later than ten years after the money has been turned over to the county treasurer, except in cases of legal disability in which event the claim shall be filed not later than ten years after removal of the disability.

SECTION 4. Payment of claims.—If a claim made pursuant to the terms of this act is finally determined in the claimant's favor the probate judge shall issue his voucher for the payment thereof. The voucher shall be honored by the treasurer and payment shall be made out of the general fund of the county.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R169, H1357)

No. 96**An Act To Provide For The Division Of Anderson County School District No. 2 Into Four Areas For The Purpose Of Electing School District Trustees.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School District 2 of Anderson County—divided into areas for purpose of electing trustees.—For the purpose of electing district trustees, School District No. 2 of Anderson County is divided into four areas, as follows:

Area No. 1 shall consist of old school district Belton 12, Calhoun School District 29, and Cedar Grove School District 30;

Area No. 2 shall consist of old school districts Honea Path 16, Gantt 34, Friendship 35, Cleveland 36, and Barkers Creek 67;

Area No. 3 shall consist of old school districts Martin 15, Long Branch 33, Ebenezer 45, Bethany 46, Bethel 55, and the portion of Rocky River School District 59, east of Rocky River; and

Area No. 4 shall consist of old school districts Broadway 11, Neals Creek 60, and the portion of Union School District 21, south of Broadway Creek.

Two of the seven trustees shall be residents of Area No. 1; two shall be residents of Area No. 2; one shall be a resident of Area No. 3; and one shall be a resident of Area No. 4. The seventh trustee shall be elected by the electors of the entire district and may reside in any one of the four areas.

SECTION 2. Elections—vacancies—candidates to file notice.—

Upon the expiration of the present terms of office of the trustees of Anderson County School District No. 2, their respective successors in office shall be elected from the areas herein established in the following order; Area No. 1, Area No. 2, Area No. 3 and Area No. 4. Area Trustees shall be elected for their particular areas by the qualified electors from the entire school district. In case of the resignation or death of any trustee, the County Board of Education shall appoint a successor who is a resident of the same area for the unexpired term only.

Not later than 5 P. M., twenty-one days prior to the election, any person desiring to become a candidate for the position of trustee in any one of the established areas shall file with the County Superintendent of Education a written notice of his intention to

become a candidate for such office. Upon the expiration of the filing time, the County Board of Education shall compile a list of all candidates in each of such areas.

The provisions of law applicable to the election of school trustees in Anderson County shall apply insofar as they are applicable to the election of trustees from the areas herein established.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R174, H1331)

No. 97

An Act To Amend Act No. 319 Of The Acts Of 1957, Authorizing The Supervisor Of Florence County To Work Any Able-Bodied Male Prisoner, So As To Remove The Authorization To Work Any Prisoner Awaiting Trial Under Certain Conditions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 319 of 1957 amended—Florence County may work prisoners on chain gang.—Act No. 319 of the Acts of 1957 is amended to read as follows :

“Section 1. The Supervisor of Florence County may work any able-bodied male person sentenced to a term of imprisonment in the county jail or on the county chain gang at such labor as he is able to perform on the public roads of the county whenever in his judgment it is feasible and practicable to do so under such guard as he may deem sufficient.

“Section 2. All acts or parts of acts inconsistent herewith are repealed.

“Section 3. This act shall take effect upon approval by the Governor.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R175, H1349)

No. 98**An Act To Provide For The Posting Of Notices On The Door Of The Saluda County Courthouse In Lieu Of Publication In A Newspaper For Estates Of Less Than One Thousand Dollars.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Posting of certain notices in Saluda County.—

In estates of less than one thousand dollars, no publication for any purpose shall be required in Saluda County to be inserted in any newspaper, but, in lieu thereof, notices shall be posted on the courthouse door which shall have the same force and effect as if published.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R176, H1284)

No. 99**An Act To Create The Greenville-Spartanburg Airport District; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provisions For Borrowing By The District, Including The Issuance Of General Obligation Bonds Of Not Exceeding Six Million Dollars; To Prescribe The Terms And Conditions Under Which Such Money May Be Borrowed By The District And To Make Provision For Its Payment; To Provide For The Application For And Use Of Funds Which May Be Allocated To The District By The Federal, State Or Other Governments And To Provide For The Continuing Operation Of The Facilities Of The District.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville-Spartanburg Airport District created.

—The territory embraced by the Counties of Greenville and Spartanburg is hereby constituted an Airport District and political subdivision of this State, the functions of which shall be public and

governmental, and the inhabitants of said territory are hereby constituted a body politic and corporate. The corporate name of the airport district shall be Greenville-Spartanburg Airport District, and by that name the airport district may sue and be sued.

SECTION 2. Commission created—members—terms.—The corporate powers and duties of the Greenville-Spartanburg Airport District shall be exercised and performed by a Commission to be known as Greenville-Spartanburg Airport Commission. The Commission shall be composed of six members to be appointed by the Governor as follows: three of the members shall be residents of Spartanburg County and the original members shall be appointed upon the recommendation of a majority of the members of the Spartanburg County Legislative Delegation. Three of the members shall be residents of Greenville County and the original members shall be appointed upon the recommendation of a majority of the members of the Greenville County Legislative Delegation. The term of office of one of the original members from Greenville County and one of the original members from Spartanburg County shall be for two years. The term of another of the original members from Greenville County and another of the original members from Spartanburg County shall be for four years. The two remaining members and the successors in office of all the members of the Commission shall serve for a term of six years. The term of each member shall expire on the January first nearest to the end of the term of years for which he is appointed under the foregoing provision; *provided*, that each member shall serve until his successor is appointed and qualified. Upon the expiration of the term of each commissioner his successor shall be elected in the same manner as set forth above. Upon election by a majority of the Spartanburg Delegation or a majority of the Greenville Delegation, as the case may be, then the secretary or acting secretary of the county delegation shall certify the approval to the Governor, who shall commission the nominee for the term provided by the provisions of this section. Any new member shall be a suitable person who is a resident of the same county as the member he is to succeed. Successors shall be appointed to serve for the unexpired term of members who die or resign in like manner and upon like recommendation as hereinabove set forth.

SECTION 3. Officers—compensation of members.—The Commission shall appoint one of its members as Chairman and one of its members, or any other competent person, as Secretary of the Com-

mission. The Chairman of the Commission shall serve for a term of two years and until his successor is appointed and qualified. The members of the Commission shall serve without compensation, except for their actual expenses while in performance of duties prescribed under this act.

SECTION 4. Powers and duties.—The Commission is hereby committed the function of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing an airport and air navigation facility to serve the people of the Greenville-Spartanburg Airport District and the public generally. To this end, the Commission shall be empowered as follows:

1. Have perpetual succession.
2. Adopt, use and alter a corporate seal.
3. Make bylaws for the management and regulation of its affairs, and define a quorum for its meetings.
4. Deposit monies derived from the sale of any bonds authorized to be issued under the provisions of this act or from revenue-producing facilities in any bank or trust company having an office within the district and withdraw the same for the purpose of operating, maintaining, constructing, improving and extending any facility in its charge.
5. Plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police its airport and air navigation facility under such reasonable rules and regulations as the Commission may from time to time promulgate.
6. Maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations, and other facilities of whatever nature or kind for the comfort and accommodation of air travelers; purchase and sell supplies, goods and commodities as an incident to the operation of its airport facilities; and for all such purposes the Commission may by purchase, gift, devise, lease, eminent domain proceedings, or otherwise acquire, hold, develop, use, lease, mortgage, sell, transfer, and dispose of any property, real or personal, or any interest therein, including easements in airport hazards, or land outside the boundaries of its airport or airport site, necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting, of airport hazards, or to prevent the establishment of airport hazards.

7. License, lease, rent, sell or otherwise provide for the use of any of its airport facilities, including the privilege of supplying goods, commodities, things, services or facilities at such airport by any persons or corporations, qualified to use the same as its discretion may dictate; provided that in no case shall the public be deprived of its rightful, equal, and uniform use of the airport, air navigation facility, or portion or facility thereof.

8. Place in effect and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of the airport facility of the district; provided that all such rates and charges shall be reasonable and nondiscriminatory.

9. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Act No. 225, of the Acts of 1953, as such statutes are now constituted or as the same, from time to time may be amended. All powers conferred on municipalities under Act No. 225 are conferred herein on the Greenville-Spartanburg Airport Commission.

10. Appoint officers, agents, employees and servants and prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing the rules and regulations of this body as provided for in Section 5 of this act, fix their compensation and determine if and to what extent they shall be bonded for the faithful performance of their duties.

11. Employ engineers, architects and attorneys and contract for such other services of a technical or professional nature as may be necessary or desirable to the performance of the duties of the Commission.

12. Make contracts for the construction, erection, maintenance and repair of the facilities in their charge, by competitive bidding if such contracts are in excess of ten thousand dollars. If the contracts are less than ten thousand dollars then the Commission is empowered to make such contracts without competitive bids.

13. Apply for, accept, receive, receipt for, disburse, and expend Federal, State, county or municipal moneys and other moneys, public or private, made available by grant or loan or both, to accomplish, in whole or in part, any of the purposes of this act and, to this end, to continue to prosecute any application heretofore filed with the Federal

Civil Aeronautics Administration or the Federal Airway Authority, or any other Federal agency, by joint action of the Spartanburg County and Greenville County Legislative Delegations and to pay from the funds of the District any costs heretofore or hereafter incurred for any services rendered, since the date the application was filed, in connection with the procuring or processing of the application which are found by the Commission to legitimately inure to the benefit of the Greenville-Spartanburg Airport District. All Federal moneys accepted under this section shall be accepted and expended by the Commission upon such terms and conditions as are prescribed by the United States and as are consistent with State law; and all other moneys accepted under this section shall be accepted and expended by the Commission upon such terms and conditions as are prescribed by the State or other sources thereof.

14. Issue under the conditions prescribed in paragraph 16 of this section, general obligation bonds of the District in an amount not exceeding six million dollars; *provided*, that the six million dollar limitation hereby fixed shall be reduced by the aggregate amount of any State or Federal funds received by or irrevocably set aside to the Commission by the State or Federal governments or by any agency thereof. If any bonds authorized by this provision are issued and outstanding at the time when any such State or Federal funds are received or irrevocably set aside to the Commission, the obligation of such bonds shall not in anywise be affected thereby.

15. In addition to the powers given by paragraph 14 of this section, the Commission may, on behalf of the District, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility or facilities in their charge. The sums borrowed may be those needed to pay costs incident to the operation and maintenance of its airport facility or such sums as may be needed to pay the cost of any extension, addition or improvement to its airport facility, or both. If the method of financing authorized by this paragraph is used, neither the faith and credit of the State of South Carolina nor of any county lying within the District nor of the District itself shall be pledged to the payment of the principal and interest of the obligations, and there shall be on the face of such obligation a statement, plainly worded, to that effect. Neither the members of the Commission nor any person signing the obligations shall be personally liable thereon. That a convenient procedure for

borrowing money pursuant to this paragraph may be prescribed, the District shall be fully empowered to avail itself of all powers granted by Title 59, Chapter 5, Code of Laws of South Carolina, 1952, as amended, notwithstanding the fact that the District shall not otherwise be deemed to be a municipality. In exercising the powers conferred upon the District by such Code provisions, the District may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such Code provisions. Specifically, and notwithstanding contrary provisions in any such Code provisions, the District may :

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility or facilities, as such net revenues may be defined by the Commission.

(b) Covenant and agree that upon its being adjudged in default as to the payment of any instalment of principal and interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also all revenues derived from the operation of the revenue-producing facility whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by resolutions adopted by the Commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale and upon such terms and conditions as it shall approve.

(e) Make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without a premium, and on such terms and conditions as the Commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of principal and interest of any obligation shall be in a fixed amount.

(g) Covenant and agree that it will not enter into any agreements with any person, firm, corporation or with the government of this State, the United States, or any of the political subdivisions of

the same, for the furnishing of free services where such services are ordinarily charged for.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the evidences of default and conditions upon which all or any obligation shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

16. The Commission, on behalf of the District, shall be empowered to issue not exceeding six million dollars (or such lesser amount as may be prescribed by the provisions of paragraph 15 of this section) of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing an airport facility within the District. For the purpose of this section, the term "construct and establish" shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for the construction and use of runways, terminal buildings, maintenance shops, service establishments, and any and all facilities incident or in anywise appurtenant to an airport facility and all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest incurred in connection therewith, cost of engineering services, architectural services, legal services, legal and engineering expenses, plans, specifications, surveys, projections, drawings, brochures, administrative expenses and such other expenses as may be necessary or incident to the construction and operation of an airport facility within the District whether heretofore or hereafter incurred for the purposes for which the district is created. All or any general obligation bonds issued pursuant to this paragraph shall conform to the following specifications and be subject to the following procedures:

(a) They shall be issued as a single issue or, from time to time, as several separate issues. They shall bear such date or dates as the Commission shall determine, and bonds of any issue shall mature in such equal or unequal instalments as may be determined by the Commission. They shall be made payable at such place or places as the Commission shall prescribe and they shall bear interest at such rate or rates and shall be payable in such manner as the Commission may

determine. The bonds may be issued with the privilege of having them registered as to principal on the books of the Commission and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Commission may prescribe. Any bond issued pursuant to this paragraph may be made subject to redemption prior to its stated maturity, on such terms and conditions and with such redemption premium as the Commission shall prescribe.

(b) They shall be sold at not less than par and accrued interest to the date of their respective deliveries at public sale. At least ten days prior to any sale, notice announcing the intention to receive bids for sale of such bonds shall be published in a newspaper of general circulation in the State of South Carolina. In offering the bonds for sale, the Commission shall reserve the right to reject any and all bids and if all bids shall be rejected, the Commission may negotiate privately for the disposition of such bonds.

(c) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(d) Such bonds shall be executed in the name of the District by the Chairman and the Secretary of the Commission under the seal of the District. Coupons attached to such bonds may be authenticated by facsimile signatures of the Chairman and the Secretary of the Commission who are in office on the date of such bonds.

(e) The delivery of any bonds so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution and authentication.

(f) There shall be irrevocably pledged for the payment of such bonds and interest as they mature the full faith, credit and resources of the District. Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied on all taxable property in the District an annual tax ad valorem sufficient to pay the principal and interest of all bonds issued under this act as principal and interest becomes due. The said tax shall be annually levied by the Comptroller General of South Carolina and collected by the County Treasurers of Greenville and Spartanburg Counties at the same time and in the same manner as county taxes are collected. Each of the county treasurers shall collect the tax in his county and pay the same to the State Treasurer in the manner and within the time heretofore provided by law for the payment of State taxes to the State Treasurer who shall set them apart in a special fund and apply

them solely to the payment of principal and interest of the bonds so long as any such principal or interest remains outstanding. The tax to be levied under the provisions of this paragraph shall not be substantially greater than the amount necessary to pay principal and interest of bonds maturing during the year in which monies produced by such levy will come into the hands of the State Treasurer as reduced by the anticipated balance of funds in the hands of the State Treasurer produced by such levies in prior years. When all principal and interest of outstanding bonds has been paid, the State Treasurer shall transfer any balance remaining in the special fund created under the terms of this paragraph to the general fund of the Commission subject to its draft or order for any legitimate purpose incident to the operation, maintenance or extension of the District's airport facilities.

(g) Proceeds derived from the sale of such bonds shall be deposited with the Treasurer of the State of South Carolina in a separate and special fund and shall be subject to transfer upon warrants or orders of the Commission to any bank or trust company having an office within the district to be expended by the Commission for the purposes specified herein, and no others; *provided*, however, that any premium received shall be deposited with the Treasurer of the State of South Carolina and applied by him to the first instalment of principal becoming due on the bonds and any accrued interest received shall be applied by the State Treasurer to the first instalment of interest becoming due on the bonds. Neither the purchaser of the bonds nor any subsequent holders thereof shall be responsible for the proper application of the proceeds of sales.

17. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the District.

SECTION 5. Revenues.—All revenues derived by the Commission from the operation of any revenue-producing facility which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by Section 4, paragraph 15, of this act, shall be held, disposed of or expended by the Commission for purposes germane to the functions of the District.

SECTION 6. Rates not subject to State regulation.—The rates charged for services furnished by any revenue-producing facility of the District as constructed, improved, enlarged or extended shall not be subject to supervision or regulation of any State bureau, commission, board or other like instrumentality or agency thereof.

SECTION 7. Exempt from taxes.—Property and income of the District shall be exempt from all taxes levied by the State, county or any municipality, division, sub-division or agency thereof, direct or indirect.

SECTION 8. Obligations not to be impaired.—So long as the District shall be indebted to any person, firm or corporation on any bonds, notes or other obligations issued pursuant to the authority of this act, provisions of this act and the powers granted to the District and the Commission shall not be in any way diminished and the provisions of this act shall be deemed a part of the contract between the District and the holders of such obligations.

SECTION 9. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R177, S78)

No. 100

An Act To Amend Section 3 Of Act No. 360 Of 1957, Relating To Shooting Of Nonnative Game On Shooting Preserves, So As To Remove The Prohibition Against Shooting Pen-Raised Ducks In Game Zone 6.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 360 of 1957 amended—shooting preserves—species of game which may be taken—bag limits.—Section 3 of Act No. 360 of 1957 is amended to read as follows:

“Section 3. Legal shooting preserve game shall be nonnative, pen-raised pheasants, chukar partridge, and such other nonnative game species as may be designated by the Wildlife Resources Department, without regard to sex; pen-raised mallards and black ducks, more than two generations removed from the wild and in conformance with

the United States Fish and Wildlife Service regulations; all such waterfowl released for shooting shall be banded. *Provided*, that it shall be illegal to shoot pen-raised ducks in Game Zone 7. The Wildlife Resources Department is also empowered to designate as legal shooting preserve game other types and species of game, aside from those specified above, which according to its judgment and discretion might be suitable for preserve hunting. *Provided*, that should native species of game be so designated they must be taken only during the open season provided by law, and bag limits for native species on shooting preserves shall be the same as now provided by laws of the State."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R180, S169)

No. 101

An Act To Amend Section 65-2014, Code Of Laws Of South Carolina, 1952, Relating To The Deposit By County Treasurers Of Certain Funds At Interest, So As To Allow The County Treasurer Of Abbeville County To Make Certain Investments Of Funds Belonging To Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2014, 1952 Code, amended—investment of funds by Abbeville County Treasurer.—Section 65-2014, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso:

"*Provided*, the County Treasurer of Abbeville County is hereby authorized to invest, with the approval of a majority of the Legislative Delegation, including the Senator, such funds as deemed advisable in Treasury Bills of the United States of America."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R181, H1222)

No. 102

An Act To Amend Section 28-882, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Shad Fishing, So As To Change The Days Fishing Shall Be Permitted In The Coosawhatchie, Combahee and Salkehatchie Rivers.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 28-882, 1952 Code, amended—shad not to be caught at certain times on certain rivers.—Section 28-882, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 28-882. During the open season it shall be unlawful to catch shad or set any seine or net for same from twelve o'clock noon on Friday until twelve o'clock noon on the Tuesday following except with skimbrow nets for noncommercial purposes on Black River or Great Pee Dee River. On the Edisto, Coosawhatchie, Combahee and Salkehatchie Rivers during the open season it shall be unlawful to catch shad or set any seine or net for same from twelve o'clock noon on Saturday until twelve o'clock noon on the Wednesday following except with skimbrow nets for noncommercial purposes.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R183, H1373)

No. 103

An Act To Amend Section 15-1613, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of The Civil Court Of Florence, So As To Provide For Additional Terms.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1613, 1952 Code, amended—Civil Court of Florence—judge may order special terms.—Section 15-1613, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following :

“Provided, whenever it shall satisfactorily appear to the judge of such court that the public interest requires the holding of a special term of court, the judge may order a special term to be held at such time as provided by said order. Such notice of the holding thereof shall be given as the judge may by order provide, which order shall be entered upon the records of the clerk of the court.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R184, H1378)

No. 104

An Act To Authorize The Town Council Of The Town Of Honea Path In Anderson County To Enact An Ordinance Directing That Members Of The Town Council Shall Be Elected From Their Respective Wards By A Vote Of The Electors At Large.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Honea Path may enact ordinance concerning election of aldermen.—The Town Council of the Town of Honea Path in Anderson County is authorized to enact an ordinance providing that the aldermen shall be elected from their respective wards by the qualified electors of the town at large. Upon the enactment of the ordinance the then present aldermen shall continue in office for the remainder of their terms.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R186, H1398)

No. 105

An Act To Amend Section 57-242, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Utilization Of Funds Derived From Confiscated Property By The Sheriff's Office, So As To Delete Anderson County From The Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 57-242, 1952 Code, amended—section no longer applicable to Anderson County.—Section 57-242, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 57-242. In Beaufort County, the county treasurer shall keep the fund arising from the sales referred to in Section 57-241 in a special account for the purchase, repair and upkeep of supplies and material necessary in fingerprinting and photography for the use of the sheriff in law enforcement and shall pay out such funds on order of the county sheriff.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R187, S175)

No. 106

An Act To Exempt Property Of International Brotherhood Winyah Local No. 577 In Georgetown County From City And County Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Property of International Brotherhood Winyah Local No. 577 in Georgetown County exempt from taxes.—The property of International Brotherhood Winyah Local No. 577 in Georgetown County shall be exempt from city and county taxes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1959.

(R191, H1410)

No. 107

An Act To Authorize The Town Of Jefferson In Chesterfield County To Impose An Annual Tax On All Real And Personal Property Not To Exceed Sixty Mills.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Jefferson may levy taxes.—Notwithstanding the provisions of Section 47-161, Code of Laws of South Carolina, 1952, as amended, the Town of Jefferson in Chesterfield County may levy and collect an annual tax on all real and personal property within the limits of the town not to exceed sixty mills.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1959.

(R192, S195)

No. 108

An Act Establishing The Terms Of Office For Magistrates In Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Terms of magistrates in Chesterfield County.—The terms of office for magistrates in Chesterfield County shall be for two years. The initial terms shall commence on April 1, 1959.

SECTION 2. Vacancies.—Any vacancies occurring shall be filled for the unexpired terms.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R194, H1207)

No. 109

An Act To Provide For The Permissive Closing Of Banks Or Cash Depositories For Any One Day In Any One Week.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Banks may close one day a week.—Any commercial bank or cash depository doing business in the State may, in addition to Sunday and such legal holidays as are now prescribed by statute, remain closed one day of each week as its Board of Directors may from time to time determine.

SECTION 2. To be legal holiday.—Any day on which any bank or cash depository shall remain closed as herein permitted, shall, as to such bank or cash depository, constitute a legal holiday and any act authorized, required or permitted to be performed at, by, or with respect to any such bank or cash depository on a day when it is closed may be performed on the next business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of April, 1959.

(R195, H1313)

No. 110

An Act To Amend Section 43-771, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Magisterial Districts In Florence County, So As To Make Further Provisions For Jurisdiction In The Trial Of Traffic Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 43-771, 1952 Code, amended—Florence County Magistrates—jurisdiction for traffic violations.—Section 43-771, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following proviso: "*Provided*, any person charged in Florence County with a traffic violation, the penalty for which does not exceed a fine of one hundred dollars or imprisonment for thirty days, or both, shall be tried before the magistrate designated in this act subject to the right of change of venue as provided by law, and also subject to the existing right of municipalities to try such offenses committed within their boundaries. The following magistrates shall have exclusive jurisdiction of such trial when the arrest occurred within the area indicated: (1) Timmons ville Magistrate—the area included in James Cross Roads, Cartersville, Timmons ville, Glenwood and Elim Voting Precincts; (2) Florence Magistrate—the area included in Florence No. 1, Florence No. 2, Florence No. 3, Florence No. 4, Five Points, Ebenezer, Coles Cross Roads, A. C. L. Railroad Shops, Mars Bluff, Tans Bay and Back Swamp Voting Precincts; (3) Olanta Magistrate—the area included in Olanta and Oak Grove Voting Precincts; (4) Lake City Magistrate—the area included in Lake City No. 1, Lake City No. 2, McAllister's Mill, Scranton, High Hill, McCutcheon, Leo, Prospect and Liberty Voting Precincts; (5) Johnsonville Magistrate—the area included in Johnsonville, Vox and Kingsburg Voting Precincts; (6) Hannah Magistrate—the area included in Hannah and Stone Voting Precincts; (7) Pamplico Magistrate—the area included in Pamplico and Friendfield Voting Precincts; (8) Coward Magistrate—the area included in Coward No. 1, Coward No. 2 and Salem Voting Precincts; and (9) Evergreen Magistrate—the area included in Evergreen, Claussen and Effingham Voting Precincts."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R197, H1400)

No. 111

An Act Providing For The Permissive Saturday Closing Of Banks In Counties In This State With A City Having A Population In Excess Of Seventy Thousand According To The Latest United States Census And Setting Forth The Conditions Under Which Such Closing May Be Made.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain banks may close on Saturdays.—Any bank located in any county with a city having, according to the latest United States census, now or hereafter, a population in excess of seventy thousand may, as the board of directors of such concern may from time to time determine, remain closed on Saturday.

SECTION 2. To be legal holiday.—Any Saturday on which any bank shall remain closed as herein permitted, shall, as to such closed bank, constitute a legal holiday and any act authorized, required, or permitted to be performed at, by or with respect to any such bank on a Saturday when it is closed may be performed on the next succeeding business day and no liability or loss of any rights of any kind shall result from such delay.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of April, 1959.

(R200, H1421)

No. 112

An Act To Increase The Civil Jurisdiction Of The Lake City Magistrate In Florence County And To Provide For The Terms Of And The Method Of Drawing Jurors For Such Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lake City Magistrate—civil jurisdiction.—The Lake City Magistrate in Florence County shall have concurrent jurisdiction with the court of common pleas in all civil cases where

the amount demanded in the complaint does not exceed five hundred dollars or when the value of the property involved does not exceed five hundred dollars. The laws, rules and regulations pertaining to proceedings, motions and procedure shall conform to that provided for civil proceedings in the court of common pleas, except as otherwise provided herein.

SECTION 2. Terms of civil court.—Terms of civil court shall be held at such times and on such dates as determined by the magistrate.

SECTION 3. Jurors.—The Jury Commissioners of Florence County shall prepare a jury box for use in this court in the trial of all civil jury cases. The jury box shall contain the names of at least forty per cent of the registered male voters residing within the magisterial district. Jurors shall be drawn in the manner prescribed by Section 43-94, Code of Laws of South Carolina, 1952. *Provided*, that no person shall be required to serve as juror in this court more often than once a year. Such jurors shall receive the sum of three (\$3.00) dollars per day for each day or portion of a day actually spent in attendance upon said court. *Provided*, further, that in the event the business of the court does not warrant the attendance of the usual number of jurors the magistrate shall have the discretionary power to draw only twelve jurors, in which event each party shall be entitled to strike three of such jurors.

SECTION 3A. Act not applicable to certain cases.—The provisions of this act shall not apply to any civil case in which the amount in controversy does not exceed one hundred dollars.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

**turing Establishments From Certain Taxes In Certain Counties,
So As To Exempt The Same In Florence County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (2) of Section 65-1527, 1952 Code, amended—tax exemptions for additions to manufactories in certain counties.—Item (2) of Section 65-1527, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“(2) Fifty thousand dollars in Abbeville, Aiken, Anderson, Bamberg, Chester, Darlington, Florence, Greenville, Greenwood, Kershaw, Laurens, Lee, Sumter and York Counties.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R203, H1440)

No. 114

An Act To Create The Horry County Higher Education Commission, To Provide Its Powers And Duties, And To Provide Funds Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Horry County Higher Education Commission, created—members—terms—officers—meetings.—There is hereby created the Horry County Higher Education Commission. The Commission shall be composed of sixteen members who shall be appointed by the Governor upon the recommendation of the Senator and a majority of the members of the House of Representatives from Horry County whose recommendation shall be based upon nominations provided for by this section. One member shall be appointed from each of the eight attendance areas in Horry County to serve for terms of four years, or until their successors are appointed and qualified, except that of the members first appointed two shall serve for one year, two shall serve for two years, two shall serve for three years and two shall serve for four years, with each succeeding appointee serving for the

full four year term. Eight members shall be appointed at large from the county without geographical limitation to serve for terms of four years, or until their successors are appointed and qualified, except that of the members first appointed two shall serve for one year, two shall serve for two years, two shall serve for three years, and two shall serve for four years, with each succeeding appointee serving the full term of four years. After the appointment of all sixteen members to the Commission, it shall meet and elect a chairman and a secretary from among its membership, and organize further as it may desire. The County Superintendent of Education of Horry County and the superintendents of each of the eight attendance areas in Horry County shall serve as ex officio members of the Commission. Notice of all meetings of the Commission shall be given to such ex officio members with an invitation to attend. The meetings of the Commission shall be held in the office of the county superintendent of education. The Commission may meet at such times as it may deem necessary, such meetings to be called by the chairman, or upon the written request of at least nine of its members; *provided*, that the present members of the Coastal Educational Foundation, Inc., an eleemosynary corporation, shall be appointed as the first members of the Horry County Higher Education Commission. The Commission shall be self-perpetuating, in that appointment of succeeding members to the Commission shall be made by the nomination of a majority of the members of the Commission to the Senator and House Members of the Delegation who shall recommend such appointment to the Governor. No member shall receive any compensation for serving on the Commission.

SECTION 2. Powers and duties.—The Commission, upon the approval of a majority of its members, may enter into contracts with institutions of higher learning, upon such terms and conditions as may be acceptable to the Commission, for the operation of a school or schools of higher learning in Horry County. The County of Horry, however, shall not be bound or held liable by any act of omission or commission of the Horry County Higher Education Commission or by any provision of a contract expressed or implied by the Commission except as follows: (A) The Commission may obligate itself for an expenditure of a sum for the purposes of this act in an amount not to exceed that which is provided by this act. (B) The Commission may bind itself for the purpose of furnishing suitable facilities and accommodations for such school or schools of higher learning by con-

struction, or by contract with the appropriate authority or agency having control of existing facilities and accommodations. (C) The Commission is authorized to obligate the tax income derived from the three mill tax levy hereinafter provided for the purpose of the sale of bonds or any other means of borrowing funds as may be necessary in financing the construction of necessary facilities and accommodations, and for any other necessary expenditure in carrying out the provisions of this act. The Commission is authorized to accept such gifts as may be appropriate to carry out the provisions of this act. The Commission may select and appoint a group of interested persons from Horry County and the surrounding area, who shall be known as the Higher Education Advisory Committee, who may act in an advisory capacity to the Commission. The Commission shall have an annual audit made by a certified public accountant, which audit shall be kept on file in the office of the Commission and shall be available for public inspection and shall show an accounting of all funds under the control of the Commission.

SECTION 3. Tax levy.—The Auditor of Horry County shall levy and the Treasurer shall collect three mills upon all taxable property within the county. The proceeds of such levy shall be paid over to the Commission to be used in carrying out the provisions of this act.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R205, H1057)

No. 115

An Act To Amend Section 1 Of Act No. 605 Of 1954, Requiring That Certain Contracts Be Let On Competitive Bids, So As To Require The Approval Of The Educational Finance Commission On Certain Contracts When The Funds Are Furnished By The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 605 of 1954, amended—bids required prior to construction of certain buildings—Educational

Finance Commission to approve certain contracts.—Section 1 of Act No. 605 of 1954 is amended to read as follows:

“Section 1. No public building, or addition thereto, constructed from State funds, costing more than ten thousand dollars shall be constructed in the State unless competitive bids for the contract therefor shall have been advertised in a newspaper of general circulation in the State, at least three times over a period of thirty days. All bids shall be opened at the same time, and a performance bond shall be required from the successful bidder. All proposals shall be opened in public and shall be recorded in the minutes of the board or governing body, and the award shall be made to the lowest responsible bidder, taking into consideration quality of workmanship, past performance of low bidder and time specified in the proposals for the performance of contract. Where bids are received as a result of advertisement for the construction of public buildings to be built with funds furnished by the State Educational Finance Commission and the lowest bid is rejected and another accepted, any contract based on the bid shall be subject to the approval of the State Educational Finance Commission.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R206, H1084)

No. 116

An Act To Amend Section 55-8, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Credit Given Convicts For Good Behavior, So As To Increase The Credit For Good Behavior To Convicts.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 55-8, 1952 Code, amended—credit given convicts for good behavior.—Section 55-8, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows: “Section 55-8. (a) Each prisoner convicted of an offense against

the State of South Carolina and confined in the State Penitentiary or in a county jail or upon the public works of any county in this State for a definite term, whose record of conduct shows that he has faithfully observed all the rules of the institution wherein he is confined and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence, beginning with the day on which the service of sentence commences to run, to be computed at the rate of fifteen days for each month served.

(b) If during the term of imprisonment a prisoner commits any offense or violates any of the rules of the institution all or any part of his good conduct time may be forfeited in the discretion of the superintendent of the penitentiary, if the prisoner be confined therein, or in the discretion of the county supervisor or, if there be no county supervisor, then in the discretion of the official or board having charge of prisoners and public works within the county wherein the prisoner is confined. If thereafter the conduct of the prisoner is such as to warrant it, the same officials may, in their discretion, restore all or any portion of the forfeited or lost good conduct time. The decision to withhold or to restore forfeited good conduct time shall be solely the responsibility of the officials named herein.

(c) The provisions hereof and the credits allowed hereby shall not apply in the cases of habitual criminals sentenced under the provisions of Act No. 131 of the Acts of 1955.

(d) Any person who shall have served the term for which he has been sentenced, less deductions allowed therefrom for good conduct shall, upon release, be treated as if he had served the entire term for which he was sentenced."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

An Act To Amend Section 46-539, Code Of Laws Of South Carolina, 1952 Relating To Lights On Parked Vehicles, So As To Further Provide For The Color And Location Of Such Lights.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-539, 1952 Code, amended—lights on parked vehicles.—Section 46-539, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 46-539. Whenever a vehicle is lawfully parked upon a street or highway during the hours between a half hour after sunset and a half hour before sunrise and in the event there is sufficient light to reveal any person or object within a distance of five hundred feet upon such street or highway no lights need be displayed upon such parked vehicle.

Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended, during the hours between a half hour after sunset and a half hour before sunrise and there is not sufficient light to reveal any person or object within a distance of five hundred feet upon such highway, such vehicle so parked or stopped shall be equipped with one or more lamps meeting the following requirements: At least one lamp shall display a white or amber light visible from a distance of five hundred feet to the front of the vehicle, and the same lamp or at least one other lamp shall display a red light visible from a distance of five hundred feet to the rear of the vehicle, and the location of said lamp or lamps shall always be such that at least one lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. The foregoing provisions shall not apply to a motor-driven cycle.

Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

Sales And Use Tax, So As To Exempt The Gross Proceeds From The Sale Of All Supplies For Use Or Consumption Aboard Ships Plying On The High Seas.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (11) of Section 65-1404, 1952 Code, amended—supplies for ships exempt from sales and use tax.—Subsection (11) of Section 65-1404, Code of Laws of South Carolina, 1952, is amended by striking out the word “mechanical” in line one thereof, so that when so amended subsection (11) shall read as follows:

“(11) The gross proceeds from the sale of fuel, lubricants, and supplies for use or consumption aboard ships plying on the high seas either in intercoastal trade between ports of this State and ports in other states of the United States or its possessions or in foreign commerce between ports in this State and ports in foreign countries; *provided*, however, that nothing in this section shall be construed to exempt or exclude from the tax levied in this article the gross proceeds of the sale of materials and supplies to any person for use in fulfilling a contract for the painting, repair or reconditioning of vessels, barges, ships and other water craft;”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

An Act To Amend Sections 1-797 And 1-798, Code Of Laws Of South Carolina, 1952, Relating To Loans By The State Budget And Control Board From The Sinking Fund So As To Prescribe The Types Of Investment Which May Be Made By The State Budget And Control Board For The Sinking Fund Of The State And To Empower Such Board To Hold, Purchase, Sell, Assign, Transfer And Dispose Of Securities And Investments In Which The Sinking Fund Is Invested; And To Repeal Sections 1-799,

1-800 And 1-802, Code Of Laws Of South Carolina, 1952, Relating To The Sinking Fund Of The State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1-797, 1952 Code, amended—investment of sinking funds by Budget and Control Board.—Section 1-797, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 1-797. The State Budget and Control Board shall have full power to invest and reinvest all funds of the sinking fund of the State in any of the following :

(a) Obligations of the United States or obligations fully guaranteed both as to principal and interest by the United States ;

(b) Obligations of the Federal Intermediate Credit Banks, Federal Home Loan Banks, Federal National Mortgage Association, Banks for Cooperatives and Federal Land Banks ;

(c) Obligations of the State of South Carolina ;

(d) General obligations of other states of the United States, but not of the municipal corporations or subdivisions thereof ;

(e) General obligations of any of the counties, political subdivisions or municipal corporations of South Carolina ;

(f) Revenue Bonds of any county, political subdivision, municipal corporation or authority of the State of South Carolina, if the statute pursuant to which such revenue bonds are issued shall declare the same to be legal investments ;

(g) Obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development ;

(h) Obligations of any corporation within the United States if such obligations bear either of the two highest ratings of at least two nationally recognized rating services ;

(i) Obligations of any corporation incorporated in South Carolina if such obligations bear either of the three highest ratings of at least two nationally recognized rating services ;

(j) In the shares of Federal savings and loan associations and State chartered building or savings and loan associations in which deposits are guaranteed by the Federal Savings and Loan Insurance Corporation, not to exceed the amount covered by insurance.”

SECTION 2. Section 1-798, 1952 Code, amended—powers of Budget and Control Board concerning sinking fund investments.—Section 1-798, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 1-798. Subject to the limitations set forth in Section 1-797 the State Budget and Control Board shall have full power to hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which the sinking fund shall have been invested.”

SECTION 3. Repeal—Sections 1-799, 1-800 and 1-802, 1952 Code repealed.—Sections 1-799, 1-800 and 1-802, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R211, H1362)

No. 120

An Act To Amend Section 61-91, Code Of Laws Of South Carolina, 1952, Relating To The Management Of The Funds Of The South Carolina Retirement System, So As To Make More Definite The Limitations Of Investments Of Such Funds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 61-91, 1952 Code, amended—Budget and Control Board to manage funds of Retirement System.—Section 61-91, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 61-91. The Board shall be the trustee of the funds of the System, may invest and reinvest such funds, subject to all the terms, conditions, limitations and restrictions imposed by Article 5, Chapter 12, Title 1, Code of Laws of South Carolina, 1952, upon the investment of sinking funds of the State, and subject to like terms, conditions, limitations and restrictions, may hold, purchase, sell, assign, transfer and dispose of any of the securities and investments in which any of the funds created herein shall have been invested, as well as the proceeds of such investments and any moneys belonging to such funds.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R212, H1363)

No. 121

An Act To Amend Section 33-262, Code Of Laws Of South Carolina, 1952, Relating To The Manner Of Effecting The Sale Of State Highway Bonds And State Highway Certificates, So As To Reduce The Length Of Time Required For The Advertisement Thereof From Fifteen Days To Ten Days.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-262, 1952 Code, amended—sale of State Highway bonds and certificates.—Section 33-262, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 33-262. Such State highway bonds or State highway certificates of indebtedness shall be sold by the Governor and the State Treasurer upon sealed proposals, after publication of notice of such sale, one or more times, at least ten days before such sale, in a newspaper of general circulation in the State and also in a financial paper published in New York City which regularly publishes notices of sale of state or municipal bonds. The bonds or certificates shall be awarded to the highest bidder at a price not less than par and accrued interest to the date of delivery, but the right shall be reserved to reject all bids and to readvertise for sale the bonds or certificates. For the purpose of bringing about a successful sale of such bonds or certificates, the State Highway Department may do all things ordinarily and customarily done in connection with the sale of State or municipal bonds. All expenses incident to the sale of the bonds or certificates shall be paid from the State Highway fund.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R213, H1390)

No. 122

An Act To Amend Section 21-995, Code Of Laws Of South Carolina, 1952, Relating To The Issuance Of State School Bonds, So As To Provide For The Issuance Of Bonds To Refinance Short Term Indebtednesses.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-995, 1952 Code, amended—State School Bonds may be issued for school bus equipment.—Section 21-995, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 21-995. For the purpose of enabling the State Educational Finance Commission to raise the funds necessary to make the advances which are authorized by Article 2 of Chapter 8 of this Title to be made to the operating units of the several counties, for the purpose of enabling the commission to raise funds necessary to acquire the school bus equipment authorized to be acquired by the provisions of Article 3.1 of Chapter 14 of this Title and for the purpose of permitting the commission to raise funds to refinance the short term indebtedness incurred in connection with the acquisition of school bus equipment, the Governor and the State Treasurer may issue State School Bonds under the conditions prescribed by this Article.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R216, H1444)

No. 123

An Act To Authorize The Town Council Of The Town Of Ninety Six In Greenwood County To Enact An Ordinance Directing That Members Of The Town Council Shall Be Elected From Their Respective Wards By A Vote Of The Electors At Large.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Ninety Six may enact ordinance concerning election of aldermen.—The Town Council of the Town of Nine-

ty Six in Greenwood County is authorized to enact an ordinance providing that the aldermen shall be elected from their respective wards by the qualified electors of the town at large. Upon the enactment of the ordinance the then present aldermen shall continue in office for the remainder of their terms.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R217, H1459)

No. 124

An Act Extending The Term Of Office Of The Supervisor For Bamberg County.

Whereas, Bamberg County operates on a fiscal year basis, beginning July first and ending June thirtieth each year; and

Whereas, the annual audit of the county affairs is made as of July first of each year; and

Whereas, the supervisor's term of office commences on the first Tuesday in January; and

Whereas, a complete audit of the supervisor's affairs and records, at the expiration of his term of office, would necessitate an additional audit. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Term of Bamberg County Supervisor.—That the term of office of the Supervisor for Bamberg County is hereby extended from the expiration date in January of the year 1963 to June 30, 1963.

SECTION 2. Further.—The supervisors elected after the passage of this act shall commence their term of office on July first following their election.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R219, S197)

No. 125**An Act Providing For The Election Of The Mayor And Aldermen For The Town Of Prosperity In Newberry County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Prosperity—terms and election of mayor and councilmen.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, in the Town of Prosperity, in Newberry County, the town officers shall consist of a mayor and four aldermen. They shall be elected in each even numbered year for a term of two years.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R220, S213)

No. 126**An Act To Create The Lancaster County Commission For Higher Education And To Make Provision For Its Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lancaster County Commission for Higher Education—members—terms—officers—Advisory Committee.—There is hereby created the Lancaster County Commission for Higher Education. This body, hereinafter called the Commission, shall be composed of seven members who shall be appointed by the Governor on the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The commissioners shall be appointed for terms of four years each and shall serve until their successors shall have been appointed and qualify; *provided*, that three of the seven commissioners initially appointed shall be appointed for a term of two years, with their successors to be appointed thereafter for full four-year terms.

The Superintendent of Education for Lancaster County shall, by virtue of his office, be an ex officio member of the Commission.

At their first meeting the commissioners shall elect a chairman, vice-chairman, secretary, and treasurer from among their members and proceed to organize and adopt such rules and procedures as may seem desirable to carry out their duties.

To facilitate its work the Commission is hereby authorized to appoint from Lancaster County, and from such adjacent areas as deemed appropriate, an Educational Advisory Committee consisting of not less than ten nor more than fifteen members which shall meet and consult with the Commission from time to time, as may be required. All members of the Commission and of the Educational Advisory Committee shall serve without compensation or fees.

SECTION 2. Meetings.—The Commission may meet at such times and in such places as to the majority of the members seems most desirable. Meetings shall be called by the chairman of the Commission; *provided*, that in the event the chairman is unable or unwilling to call a meeting, the Commission can be called into session on the written request and signatures of three members.

SECTION 3. Purpose.—The Commission shall have as its purpose the encouragement of higher education in Lancaster County and adjacent areas and, more specifically, the establishment in Lancaster County of facilities to offer standard freshman and sophomore college courses, and such other courses as deemed desirable. The Commission shall establish standards for the admission of persons to such courses.

SECTION 4. Powers.—To carry out this purpose and objective the Commission, with the approval of a majority of its members, shall be empowered to enter into contracts, make binding agreements, negotiate with educators and educational institutions and, generally, to take such actions in its name as are necessary to secure for Lancaster County and adjacent areas the educational facilities above described; *provided*, that the County of Lancaster shall not be bound nor held liable for any acts of omission or commission of the Commission, nor by any provision of any contract or agreement, expressed or implied, except upon the written approval and consent of a majority of the Lancaster County Legislative Delegation, including the Senator.

The Commission may solicit funds and accept donations from various sources which it may expend in carrying out its objective.

SECTION 5. Records and reports.—The Commission shall keep accurate and detailed records of its meetings and actions and shall, as soon after June thirtieth of each year as is feasible, submit a written report to the Lancaster County Legislative Delegation which shall include an accounting of all funds the Commission may have received and disbursed in the twelve months preceding that date.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R223, H1449)

No. 127

An Act To Equalize The Support And Payments By Greenville And Spartanburg Counties For The Construction And Operation Of The Greenville-Spartanburg Airport.

Whereas, by act of the General Assembly approved March 25, 1959, there was created an airport district embracing the counties of Greenville and Spartanburg and the airport commission created thereunder was, under certain specified conditions, empowered to issue general obligation bonds for the construction and establishment of an airport and the facilities incident thereto; and

Whereas, it is found as a fact that the inhabitants of each county within said district will be equally benefited by the establishment of said airport and the two counties should equally share the burdens of any ad valorem taxes levied under said act, but due to the disparity in the assessed value of the property in the two counties, the contribution made by each will not be equal unless an adjustment is made each year in which ad valorem tax is levied; and

Whereas, there is a further inequality in that a greater portion of the land to be used for said airport lies in Spartanburg County and will, therefore, be removed from taxation and the loss in taxes is estimated at the sum of ten thousand dollars for any year. Now, Therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenville-Spartanburg Airport District—tax to be equalized between Greenville and Spartanburg Counties.—

During each year in which an ad valorem tax is levied on the property within the Greenville-Spartanburg Airport District, the commission of said district shall determine the total amount realized from such tax and notify the treasurer of that county, paying to the Comptroller General less than that turned over to said Comptroller General by the other county. Thereupon such treasurer shall, from the general funds of his county, pay to the treasurer of the other county, to be placed in the general funds, such amount as shall be necessary to equalize the amount contributed by each county. *Provided*, however, in making said adjustment in any year, Spartanburg County shall be entitled to a credit of ten thousand dollars due to the loss of taxes on lands used in said airport facility.

SECTION 2. Not to affect constitutionality of Act 99 of 1959.—

If this act, or any part thereof, be held unconstitutional, such unconstitutionality shall not affect the act creating the Greenville-Spartanburg Airport District which was approved by the Governor on March 25, 1959.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.**SECTION 4. Time effective.—**This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R226, H1280)

No. 128

An Act To Amend Section 15-285, Code Of Laws Of South Carolina, 1952, Prescribing The Terms Of Court In The Thirteenth Judicial Circuit, So As To Provide For Three Additional One Week Terms For The Hearing Of Equity And Non-Jury Matters By The Court Of Common Pleas For Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 15-285, 1952 Code, amended—Greenville County—additional terms of court for equity and non-jury matters.—Section 15-285, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following paragraphs:

“(3) In addition to the terms of court hereinabove set forth, there shall be held additional terms of the Court of Common Pleas for Greenville County to hear equity matters and any other non-jury matters, as follows: (a) on the first Tuesday in September, for one week; (b) on the second Monday in January, for one week; and (c) on the second Monday in May, for one week.

“(4) The terms of court provided for in paragraph (3) of this act shall be presided over by a Judge other than the Resident Judge of the Thirteenth Judicial Circuit or the Presiding Judge regularly assigned at that time to said circuit. Such Judge shall be selected by the Chief Justice of the Supreme Court of South Carolina from among the regular circuit judges or the retired circuit judges or the lawyers admitted to practice in the Supreme Court of South Carolina. If found at any time to be unnecessary the terms of court provided for in paragraph (3) of this act shall be cancelled in the manner provided by law for cancellation of other terms.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R228, H1360)

No. 129

An Act To Amend Section 1-41, Code Of Laws Of South Carolina, 1952, Relating To The Oath Of Office And The Fidelity Bond Required Of Certain Employees Of The State, So As To Provide An Alternative Method Of Bonding Such Employees Through The Means Of A Blanket Bond.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1-41, 1952 Code, amended—oath and bond required of certain State employees—bonds may be individual or blanket.—Section 1-41, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 1-41. All persons who hold or are appointed to any of the positions in the departments of the State government referred to in this section, or who shall be appointed by any of such de-

partments as accountants to investigate and report the condition of any State or county officer, shall take oath of office in the usual form and the Constitutional oath and give good and sufficient bond in the form of official bonds as prescribed by Section 50-55, Code of Laws of South Carolina, 1952. Such bonds shall be approved and filed as the bonds of other State officers. In the instance of individual bonds to be given pursuant to this section by employees of each of the departments referred to below, the penal sums of such bonds shall be as follows: for each clerk in the office of the Secretary of State, four thousand dollars; for each clerk in the office of the Comptroller General, five thousand dollars; for each clerk in the office of the State Treasurer, ten thousand dollars; for each clerk in the office of the State Superintendent of Education, twenty-five hundred dollars; for each stenographer or typist in the office of the State Treasurer, twenty-five hundred dollars; for each assistant Attorney General, twenty-five hundred dollars; and for each accountant appointed by any of such departments, five thousand dollars.

In lieu of the individual bonds as provided above, the heads of the respective departments referred to in this section may, with the approval of the State Budget and Control Board, procure bonds in form to be approved by the Attorney General covering all persons employed in or by such department, including, if practical, such accountants mentioned above. In such event the penal sum of such bonds shall be in such amount as the State Budget and Control Board shall approve.

Any individual or blanket bonds given pursuant to the requirements of this section shall be executed by a fidelity or surety company licensed to do business in the State of South Carolina. In all cases, the premium or annual payment required to keep such bonds in force and effect shall be paid by the State Treasurer on the warranty of the Comptroller General."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R229, H1423)

No. 130

An Act To Amend Act No. 867 Of The Acts Of 1956, As Amended, Relating To The Lexington County Planning And Development Board, So As To Make Further Provision For The Appointment Of Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 867 of 1956, amended—Lexington County Planning and Development Board—members—terms—vacancies.—Section 1 of Act No. 867 of the Acts of 1956 is amended to read as follows :

“Section 1. There is hereby created a board for Lexington County, to be known as ‘The Lexington County Planning and Development Board,’ which shall be composed of nine members to be appointed by the Governor on recommendation of a majority of the Legislative Delegation, including the Senator. Their terms of office shall be for two years and until their successors are appointed and qualify. Any vacancy existing in the membership of the board, by reason of death, resignation or otherwise, shall be filled for the unexpired term by appointment in the same manner as the original term.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R231, H1436)

No. 131

An Act To Provide For The Terms Of Office Of Mayor And City Councilmen Of The City Of Darlington.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Darlington—term of mayor.—The Mayor of the City of Darlington elected in the next ensuing election, and all persons subsequently elected to that office, shall serve for a term of four years and until his successor is duly elected and qualifies.

SECTION 2. Terms of councilmen.—The three candidates for city council in the City of Darlington receiving the highest number of votes in the next ensuing election shall serve for a term of four years and until their successors are duly elected and qualify. The three candidates for city council receiving the next highest number of votes shall serve for a term of two years and until their successors are duly elected and qualify. All subsequent terms of councilmen shall be for a period of four years.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R232, H1447)

No. 132

An Act To Amend Act No. 853 Of The Acts Of 1952, Relating To Greenville County School District No. 520, As Amended, So As To Impose Additional Duties On The Trustees And To Repeal Act No. 637 Of The Acts Of 1956, Relating To The Levy Of Taxes By The Trustees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 4 of Act 853 of 1952, amended—Greenville County School District 520—duties of trustees.—Section 4 of Act No. 853 of the Acts of 1952, as amended, is amended by adding a new subsection to read as follows:

“(4) To include in the annual budget provision for the tax levy, not to exceed forty-two mills, which budget and millage shall include the amortization of all school bonds. This act shall not apply to any bonds issued subsequent to February 23, 1956.”

SECTION 2. Act 637 of 1956 repealed.—Act No. 637 of the Acts of 1956 is hereby repealed.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R234, H1453)

No. 133**An Act Making It Unlawful To Dump Trash In Certain Areas In Pickens County And To Provide A Penalty For Violating The Provisions Hereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to dump trash in Pickens County—penalties.—It shall be unlawful for any person, without written permission, to dump or leave trash, refuse or garbage on any property belonging to another or along the public highways in Pickens County. Any person violating the provisions of this act, upon conviction, shall be fined not more than one hundred dollars or be imprisoned for not more than thirty days.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R235, H1454)

No. 134**An Act Providing For The Election Of The Mayor And Aldermen For The Town Of Jamestown In Berkeley County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Jamestown—terms of mayor and aldermen.—Notwithstanding the provisions of Section 47-111, Code of Laws of South Carolina, 1952, the intendant or mayor and warden, aldermen or councilmen for the Town of Jamestown in Berkeley County shall be elected every two years and shall hold office for a term of two years or until their successors have been elected and qualified.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R236, H1458)

No. 135

An Act To Amend Act No. 615 Of The Acts Of 1954, Relating To Marriage License Fees In Horry County, So As To Provide For A Fee Of One Dollar For Certified Copies Of Marriage Certificates.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 615 of 1954, amended—Horry County Judge of Probate may perform marriage ceremonies—fees.—Section 1 of Act No. 615 of the Acts of 1954 is amended to read as follows :

“Section 1. The Judge of Probate of Horry County, when requested, shall perform marriage ceremonies during office hours. He shall charge and collect five dollars for each marriage license issued by him, regardless of whether it is issued during office hours or not. He shall make a charge of one dollar for issuing each certified copy of a marriage certificate. He shall make no charge for the performance of marriage ceremonies during office hours. He or someone acting in his behalf shall collect such fees and they shall, together with all other fees and commissions received by the probate judge, be turned over monthly to the treasurer of the county; *provided*, that three dollars of each marriage fee shall go into the general fund of the county and the remaining two dollars shall go to the Horry County Memorial Library.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R239, H1491)

No. 136

An Act To Amend Section 65-1570, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Tax Exemptions For New Or Additions To Existing Industrial Plants In Spartanburg County, So As To Further Restrict The Application.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1570, 1952 Code, amended—Spartanburg County—tax exemptions for certain industries.—Section 65-1570, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 65-1570. Every new industrial establishment constructed and equipped at a cost of not less than fifty thousand dollars and employing twenty-five or more persons in Spartanburg County shall be exempt from all county taxes, except for school purposes, for five years from the time it would have become liable for such taxes. The term ‘all county taxes’ as used in this section shall mean the general county levy, library levy, Metropolitan Sewer District levy, any water district levy, or any other levy. All additions to existing industrial establishments in Spartanburg County, when the cost of such addition is not less than one hundred thousand dollars and when such addition provides employment for not less than fifty additional persons, full time, within Spartanburg County, shall to the extent of the tax value of such additions have a like exemption. When such new industrial establishments occupy real estate owned by a separate corporation, the exemptions herein shall be extended to both the real estate and the chattels utilized by such new industry. The provisions of this section shall not apply to any industrial establishment or addition thereto established prior to January 1, 1958.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R241, H1524)

No. 137

An Act To Authorize The Town Of Cherry Grove Beach In Horry County To Employ A Recorder And To Authorize The Council To Fix Court Costs.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Cherry Grove Beach may employ recorder — compensation — term — court costs — jurisdiction.—

The Town Council of the Town of Cherry Grove Beach in Horry County may employ a recorder whose duty it shall be to try any offenses against the town ordinances. The town council shall fix the amount of compensation and the term of such recorder and is hereby authorized to fix court costs. The jurisdiction of the recorder shall be the same as that now vested in the Mayor of the Town of Cherry Grove Beach and there shall be the same right of appeal and trial in the court of the city recorder as exists under the law in all trials before the mayor.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R242, H1526)

No. 138

An Act To Provide That The Town Of Cherry Grove Beach In Horry County May Impose A License Or Business Tax.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Cherry Grove Beach may levy business tax—collection of.—The Town Council of the Town of Cherry Grove Beach in Horry County shall have power by ordinance to levy an annual tax upon any business or occupation conducted within the corporate limits; *provided*, that the tax shall be graduated according to the gross income of the person required to pay the tax or upon the amount of capital invested in the business. For the purpose of collecting such tax the town council may issue executions against all property of the taxpayer in the town and place the executions in the hands of any officer empowered by law to enforce tax executions.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R243, H1528)

No. 139

An Act To Abolish The Board Of Commissioners Of Public Works In The Town Of Hampton And To Vest The Powers And Duties Formerly Exercised By Such Board In The Mayor And Town Council Of Hampton.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Hampton—board of commissioners of public works abolished—duties devolved upon mayor and council.—The Board of Commissioners of Public Works in the Town of Hampton is abolished and the powers and duties formerly exercised by such board are vested in the Mayor and Town Council of Hampton.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R244, H1215)

No. 140

An Act To Make Appropriations To Meet The Ordinary Expenses Of The State Government For The Fiscal Year Beginning July 1, 1959; To Regulate The Expenditure Of Funds Therefor; For Borrowing Money; To Allow Certain Discretion To The Public Service Commission In Connection With License Fees For D, E And F Certificate Holders; To Require Payment To The General Fund Of The State By The South Carolina Public Service Authority During The Year 1959-60; To Impose An Additional Tax On The Sale Of Beer And Wine, And To Further Regulate The Sale Thereof, For The Fiscal Year 1959-60; To Impose An Additional Tax For The Fiscal Year 1959-60 On The Sale Of Tobacco Products And Other Commodities Presently Taxed Under Code Sections 65-702, 65-703, And 65-791; To Change The Tax Rate On Building And Loan And Like Associations For The Fiscal Year 1959-60; And To Enact As Permanent Laws Of The State Of South Carolina The Following Fis-

cal And Regulatory Measures: To Amend Code Sections 15-103 And 15-212 Relating To The Salaries Of Supreme Court Justices And Circuit Judges; To Amend Section 5-660, 5-676 And To Repeal Section 5-661, Code Of Laws Of 1952, So As To Change The License Fees On Coin-Operated Devices; To Amend Sections 65-801, 65-802, 65-811, 65-817 And 65-822, And To Repeal Sections 65-804, 65-812, 65-813, 65-814, 65-816, 65-818, And 65-831, Code Of Laws Of 1952, So As To Extend The Admissions Tax; To Amend Sections 65-1359, 65-1365, 65-1404, And Article 5, Of Chapter 15, Of Title 65, Code Of Laws Of 1952, So As To Impose A Tax On The Sale Of Electricity At Retail And On Certain Types Of Communications; To Further Amend Article 5, Of Chapter 15, Of Title 65, Code Of Laws Of 1952, So As To Extend The Application Of The Sales Tax To Laundries And Like Services; To Amend Section 65-1447, Code Of Laws Of 1952, So As To Change The Rate Of Discount Allowed On Remittances To The Tax Commission Of Sales Tax Collections; To Amend Section 65-716, Code Of Laws Of 1952, So As To Change The Rate Of Discount Allowed On The Purchase Of Business License Stamps; To Amend Section 65-259, Code Of Laws Of 1952, So As To Disallow Deduction Of Federal Taxes Paid In Computing The Income Tax Liability Of Certain Taxpayers; To Amend Section 65-221, Code Of Laws Of 1952, So As To Provide Additional Brackets In Computing The Income Tax Liability Of Certain Taxpayers; To Provide For A System Of Withholding State Income Taxes On Certain Classes Of Taxpayers; To Amend Sections 65-752, 65-754, 65-755, 65-756, And 65-757, Code Of Laws Of 1952, So As To Increase The Tax Rate On Fountain Soft Drinks Syrup; To Amend Section 65-735, Code Of Laws Of 1952, So As To Reduce The Discount Allowed On The Sale Of Beer And Wine Lids, Stamps And Crowns; To Amend Section 66-412, Code Of Laws Of 1952, So As To Provide For A Charge Of $\frac{1}{4}\text{¢}$ Per Gallon For Inspection, Testing, And Analyzing Petroleum Products And For Other State Purposes; To Amend Section 1-49, Code Of Laws Of 1952, So As To Authorize The Comptroller General To Make Deductions From The Salaries Of State Employees On Account Of Group Insurance Payments With Certain Limitations; And To Provide For The Issuance Of State Notes For The Purpose Of Providing Additional Facilities At The S. C. State Hospital And Whitten Vil-

lage And Pledging Certain Revenues To The Payment Of Such Notes; And Further Relating To The Fiscal Affairs Of The State Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

Maintenance and Operation of State Government

SECTION 1

For the fiscal year 1959-60, except as hereinafter specifically provided, all general state revenues derived from taxation, licenses, fees, or from any other source whatsoever, and all institutional and departmental revenues or collections, including income from taxes, licenses, fees, the sale of commodities and services, and income derived from any other departmental or institutional source or activity, shall be remitted to the State Treasurer, as collected when practicable, but at least on or before the last day of each month, for credit to the General Fund of the State. Each institution, department, or agency, in remitting such income to the State Treasurer, shall attach with each such remittance, a report or statement, showing in detail the sources from which such income was derived, and shall, at the same time, forward a copy of such report or statement to the Comptroller General and the State Budget and Control Board. *Provided, however,* That refunds of such collections by state institutions, when properly approved by the authorities of same, may be made before remittance to the State Treasurer, so that, to such extent, the remittances, and the accompanying report or statement, shall be on the basis of net income. *Provided, further,* That revenues derived from the General Retail Sales Tax, and the State's portion of revenue derived from the Alcoholic Liquors Tax, shall be credited to a Special School Fund, and no payments shall be made from this fund except to cover appropriations herein made for the support of the public school system of the State, but any amount of such appropriations in excess of revenues credited to the Special School Fund shall be paid from the General Fund of the State.

SECTION 2

Subject to the terms and conditions of this Act, the sums of money set forth herein, if so much be necessary, be, and the same are, hereby appropriated out of the State Treasury, to meet the ordinary operat-

ing expenses of the State Government applicable to the fiscal year 1959-60, and for such other purposes as may be hereinafter specifically designated.

SECTION 3

Legislative Department

Item 1. The Senate:

A. Personal Service:

A-1. *Salaries:*

President	\$ 1,500.00
President Pro Tempore	400.00
Secretary (Between Sessions) ..	2,340.00
Senators (46 @ \$1,000.00) ..	46,000.00
Mileage and Stationery	7,000.00
Subsistence	13,000.00
Official Expense Allowance—	
President	800.00
Clerk	1,800.00
Assistant Clerk	950.00
General Desk Clerk	800.00
Bill Clerk	600.00
Journal Clerk	725.00
Sergeant-at-Arms	650.00
Committee Sergeant	650.00
Reading Clerk	900.00
Stenographers, Finance Com-	
mittee (2 @ \$725.00 each)	1,450.00
Keeper, Finance Committee	
Room	200.00
Steno-Clerk, Judiciary Commit-	
tee	725.00
Steno-Clerk, Social Security	
and Education Committees	725.00
Secretary to President	750.00
General Committee Clerks (3	
@ \$425.00 each)	1,275.00
General Committee Stenog-	
rapher	725.00
Doorkeepers (3 @ \$400.00	
each)	1,200.00
Pages (3 @ \$350.00 each)	1,050.00

Chaplain	350.00
Laborers (3 @ \$6.00 per day) .	1,260.00
Amendment Clerk	500.00
Assistant Amendment Clerks (4 @ \$200.00 each).....	800.00
Attendants (12 @ \$200.00 each)	2,400.00
Approved Accounts	70,000.00

Total (Item 1) The Senate	\$ 161,525.00
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Item 2. House of Representatives:

A. Personal Service:

A-1. *Salaries:*

The Speaker	\$ 1,500.00
Official Expense Allowance— Speaker	800.00
Speaker Pro Tempore	400.00
Representatives	124,000.00
Mileage and Stationery	19,500.00
Subsistence	35,000.00
Clerk	1,800.00
Assistant Clerk	950.00
Journal Clerk	725.00
Bill Clerk	725.00
Reading Clerk	900.00
Bill Clerk and General Commit- tee Clerk	600.00
Steno-Clerk, Ways and Means Committee	950.00
Steno-Clerk, Judiciary Commit- tee	725.00
General Committee Clerk	700.00
General Desk Clerk	762.50
General Desk Clerk	762.50
General Clerk and/or Stenog- rapher	725.00
Sergeant-at-Arms	650.00
Asst. Sergeant-at-Arms	650.00
Secretary to Speaker	750.00
Stenographer	725.00

Chaplain	350.00
Chief Page	450.00
Assistant Chief Page	400.00
Pages (11)	3,850.00
Doorkeepers (3)	1,200.00
Laborers (3 @ \$6.00 per day)	1,080.00
Committee Sergeant	650.00
Elevator Operators (4)	1,000.00
Approved Accounts	70,000.00

Total (Item 2) House of Representa-
tives

\$ 273,280.00

Item 3. Special Services for Both
Houses:

A. Personal Service:

A-1. *Salaries:*

Clerk on Enrollment of Acts ..\$	700.00
Assistant Clerk on Enrollment of Acts	600.00
Postmaster	600.00
Assistant Postmaster	600.00
Telephone Pages (2)	700.00
Telephone Operators (2) (In full for Session)	700.00
Laborers (3 @ \$6.00 per day)	1,080.00
Maid	300.00
Approved Accounts	10,000.00

Total (Item 3) Special Services for
Both Houses

\$ 15,280.00

Item 4. Codification of Laws and
Legislative Council:

A. Personal Service:

A-1. *Salaries:*

Code Commissioner and Di- rector of Legislative Coun- cil	\$ 10,000.00
Asst. Code Commissioner and Asst. Director of Legisla- tive Council	8,500.00

Attorney	7,500.00	
Attorney	7,500.00	
A-2. Wages:		
Porter	650.00	
A-3. Special Payments:		
Per Diem and Travel of Com- mittee on Statutory Laws ..	1,200.00	
Lawyers	4,600.00	
Stenographers	7,975.00	
Clerk	725.00	
Clerical Help	2,000.00	
Pages	450.00	
Approved Accounts	25,000.00	
B. Contractual Services:		
B-7. Other Contractual Services:		
For Printing Code Supplement	26,000.00	
Total (Item 4) Codification of Laws and Legislative Council ..		\$ 102,100.00
Item 5. Clerk's Office (The Senate):		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Clerk	\$ 4,333.00	
Secretary	2,496.00	
Bookkeeper	910.00	
A-2. Wages:		
Porter	379.00	
B. Contractual Services:		
B-3. Telegraph and Telephone ..	100.00	
C. Supplies:		
C-4. Office Supplies	150.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	12.00	
Total (Item 5) Clerk's Office (The Senate)		\$ 8,380.00

Item 6. Clerk's Office (House of Representatives):

A. Personal Service:

A-1. *Salaries:*

Clerk	\$ 4,333.00
Clerical Help	3,770.00
Secretary	2,340.00

A-2. *Wages:*

Messenger-Porter	737.00
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B. Contractual Services:

B-3. Telegraph and Telephone ..	100.00
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C. Supplies:

C-4. Office Supplies	125.00
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D. Fixed Charges and Contributions:

D-1. Post Office Box Rent	18.00
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Total (Item 6) Clerk's Office (House
of Representatives)

\$ 11,423.00

TOTAL (Legislative Department) ..

\$ 571,988.00

Provided, That the Clerk of the House is authorized to have prepared a House Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, and the Clerk of the Senate is authorized to have prepared a Senate Journal Index at a cost not to exceed Three Hundred (\$300.00) Dollars, same to be paid from approved accounts; *Provided, Further*, That the Comptroller General is authorized to honor warrants for operation of the offices of the Clerks of the House and Senate between sessions of the General Assembly on the approval of the Clerk of each House. *Provided, Further*, That appropriations for salaries under this section shall be paid at such intervals and in such amounts as may be determined by the presiding officer and/or Clerk of the respective branches of the General Assembly. *Provided, Further*, That the clerks of the respective legislative departments may pay laborers and porters for necessary work before the convening and after the adjournment of the General Assembly. *Provided, Further*, That all supplies and equipment for use of the General Assembly shall be purchased only upon written authority of either the Clerk of the Senate, Clerk of the House or the Legislative Council for the respective branches of the General Assembly, and that a copy of such written authority shall be attached to all warrants in payment

thereof before such warrants are honored by the Comptroller General. *Provided, Further,* That in the Senate, the Assistant Clerk, the General Desk Clerk, the Bill Clerk, the Journal Clerk, the General Committee Clerks, the Committee Sergeant, the Amendment Clerk, the Assistant Amendment Clerks, and the Attendants shall be appointed by the Clerk of the Senate. *Provided, Further,* That the Clerk of the Senate may employ two additional clerks for his office between sessions at a salary of \$152.00 bi-weekly, the same to be paid from approved accounts of the Senate. *Provided, Further,* That all employees of the General Assembly, with the exceptions of the Clerk of the House, the Clerk of the Senate, and the Assistant Amendment Clerks and Attendants of the Senate, shall be paid for six (6) days of each week of the entire session.

Provided, Further, That the Lieutenant Governor shall receive mileage as paid to members of the General Assembly during the sessions of the General Assembly.

Provided, Further, That the Assistant Sergeant at Arms of the House, and the Committee Sergeants of each House may be paid for two (2) weeks before and two (2) weeks after the said session; the same to be paid from Approved Accounts of the respective Houses. *Provided, Further,* That the Clerks of the two (2) Houses are authorized to issue their warrants on Approved Accounts for necessary extra clerical services. *Provided, Further,* That necessary temporary clerical help for the Chairman of the Senate Finance and House Ways and Means Committees may be paid from Approved Accounts of the respective Houses upon recommendation of the Chairmen. *Provided, Further,* That the Sergeants-at-Arms and Assistant Sergeants-at-Arms of the Senate and the House are authorized to make necessary repairs to the Senate Chamber and the Hall of the House of Representatives between the 1959 and 1960 sessions of the General Assembly, and shall be paid therefor their regular per diem allowance for necessary time, but not to exceed sixty (60) days each for the Assistant Sergeants-at-Arms, and no such repairs shall be made except with the approval of the presiding officer, *Provided,* That the Sergeant-at-Arms of the Senate shall keep the Hall of the Senate open to visitors every day between sessions, and he shall be paid his per diem for such services. *Provided, Further,* That the Sergeant-at-Arms of the House shall keep the Hall of the House open to visitors every day between sessions, and he shall remain on duty each day during the week from 9:00 A. M. to 5:00 P. M.,

except that on Saturdays he shall remain on duty from 9:00 A. M. to 1:00 P. M., for which he shall be paid his regular per diem compensation. All such services rendered by the Sergeant-at-Arms shall be under the direction of the Presiding Officer of the House. *Provided, Further,* That members of Legislative Committees shall be paid the regular per diem and expenses from Approved Accounts of the House which the respective committee members represent. *Provided, Further,* That the joint committee consisting of six members, three from the Senate and three from the House, created in the 1945 Deficiency Bill to investigate the feasibility of completing the State House according to the plans of the original architect, or according to plans which might be considered more suitable, is hereby increased to include the presiding officers of the two Houses, and the committee is authorized to continue such work.

Provided, That the Legislative Council is authorized to employ additional stenographic or other help between sessions as the Council may deem necessary at such salary or salaries as the Council may set, to be paid from approved accounts.

Provided, Further, That the Clerks of the two Houses of the General Assembly are hereby authorized and directed to have printed all State-wide Acts immediately after their approval by the Governor, and to place upon the desk of each member of the General Assembly, within one week after the approval date, a copy of said Acts, and to mail another copy to the home address of each member of the General Assembly, and three copies to each Clerk of Court in the State, and to the head of each State department and Institution. Likewise, printed copies of local Acts approved by the Governor shall be furnished to the members of the Legislative Delegation from the County involved. The Secretary of State shall notify the respective Clerks immediately upon receipt of all Acts approved by the Governor and make such Acts available to them for proof reading. All expenses in connection with the distribution of said approved Acts shall be paid from Approved Accounts for special services for both Houses.

Provided, Further, That copies of printed advance sheets of the Acts of the General Assembly shall be supplied to the County Clerks of Court and County Boards of Commissioners.

SECTION 4

Judicial Department

Item 1. Supreme Court:

A. Personal Service:

A-1. *Salaries:*

Chief and Associate Justices . . . \$	71,000.00
Clerk	4,886.20
Reporter	2,860.00
Librarian	3,632.20
Secretary	4,000.00
Stenographers (2)	6,270.00
Stenographers—Chief and As- sociate Justices	18,000.00
Attendant	1,744.60
Retired Justices	7,200.00

A-2. *Wages:*

Messenger	220.00
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A-3. *Special Payments:*

Extra Steno Services	200.00
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B. Contractual Services:

B-2. Travel	4,000.00
B-3. Telegraph and Telephone . .	1,000.00
B-4. Repairs	1,000.00

C. Supplies:

C-4. Office Supplies	3,500.00
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D. Fixed Charges and Contributions:

D-1. Rents—Clock and Post Of- fice Box	39.00
Offices Chief and Associate Justices	3,000.00

G. Equipment:

G-1. Office Equipment	1,500.00
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G-7. Educational Equipment:

Library:

Books	4,500.00
South Carolina Reports	3,862.50

Total (Item 1) Supreme Court . . .	\$ 142,414.50
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Item 2. Circuit Courts:

A. Personal Service:

A-1. *Salaries:*

Circuit Judges (14)	\$ 196,000.00
Retired Judges	32,400.00
Widows Retired Judges	7,200.00
Solicitors (14)	101,640.00
Circuit Stenographers (14) ...	92,400.00

A-3. Special Payments:

Special Circuit Judges	1,000.00
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B. Contractual Services:

B-2. Travel	22,000.00
Official Expense—Solicitors (@ \$600.00 each per year) ...	8,400.00

Total (Item 2) Circuit Courts	\$ 461,040.00
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Item 3. Board of Law Examiners:

A. Personal Service:

A-3. Special Payments (3 Mem- bers)	\$ 2,400.00
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Item 4. Board of Commissioners on
Grievances and Discipline .

\$ 1,000.00

TOTAL (Judicial Department)	\$ 606,854.50
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Provided, That the salaries provided herein for Circuit Stenographers shall be in full for all services to the Circuit Courts, except where specific appropriations are made by any of the counties in the respective circuits to supplement these salaries, and except for income derived by the said Circuit Stenographers from transcripts.

SECTION 5

Governor's Office

Item 1. Executive Control of State:

A. Personal Service:

A-1. *Salaries:*

Governor	\$ 15,000.00
Executive Secretary	9,000.00
Press Secretary	9,000.00
Industrial Secretary	12,000.00
Legal Assistant	9,000.00
Stenographers	21,800.00

A-2. Wages—Messenger-Porter	2,682.50	
A-3. Special Payments—E x t r a Clerical	4,500.00	
B. Contractual Services:		
B-2. Travel and Promotional Ex- pense	16,000.00	
B-3. Telegraph and Telephone	10,000.00	
B-4. Repairs	350.00	
C. Supplies:		
C-4. Office Supplies	4,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	30.00	
D-3. Association Dues	100.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1) Executive Control of State		\$ 114,462.50
Item 2. Mansion and Grounds:		
A. Personal Service:		
A-2. Wages	\$ 26,615.00	
B. Contractual Services:		
B-3. Telegraph and Telephone	3,000.00	
B-4. Repairs	2,000.00	
B-6. Water, Heat, Light and Power	3,000.00	
C. Supplies	9,400.00	
C-9. Agricultural Supplies	400.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	250.00	
G. Equipment:		
G-3. Household Equipment	5,000.00	
G-5. Agricultural Equipment	100.00	
Total (Item 2) Mansion and Grounds		\$ 49,765.00

Item 3. Law Enforcement:

A. Personal Service:

A-1. *Salaries*:

Chief	\$ 8,000.00
Governor's Officers	196,954.00
Operating Expense	193,478.00

Total (Item 3) Law Enforcement .. \$ 398,432.00

Item 4. Identification Bureau:

Maintenance of Bureau \$ 10,000.00

TOTAL (Governor's Office) \$ 572,659.50

Provided, That one of the Governor's Officers shall be assigned exclusively to the duty of investigating and determining the origin of forest fires.

SECTION 6

Lieutenant Governor's Office

For Administration:

A. Personal Service:

A-1. *Salaries*:

Lieutenant Governor\$ 1,000.00

B. Contractual Services:

B-2. Travel 500.00

TOTAL (Lieutenant Governor's Office) \$ 1,500.00

SECTION 7

Secretary of State

Item 1. Keeping State Records:

A. Personal Service:

A-1. *Salaries*:

Secretary of State	\$ 11,000.00
Deputy Secretary of State	6,066.50
Corporation Clerk	4,777.50
Secretary	3,503.50
Clerk-Stenographer	3,503.50

A-2. *Wages*:

Porter 493.35

A-3. Special Payments:	
Clerical Help	200.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	25.00
Rebinding Old Record Books ..	300.00
B-2. Travel	2,200.00
B-3. Telegraph and Telephone ..	500.00
B-4. Repairs	150.00
C. Supplies:	
C-4. Office Supplies	2,600.00
D. Fixed Charges and Contributions:	
D-2. Premiums on Bonds	65.00
D-3. Association Dues	100.00
G. Equipment:	
G-1. Office Equipment	300.00
TOTAL (Secretary of State)	\$ 35,784.35

SECTION 8

Comptroller General's Office

Item 1. Executive Control of Accounts:

A. Personal Service:

A-1. *Salaries:*

Comptroller General	\$ 11,000.00
Deputy Comptroller	7,098.50
Chief Clerk	5,746.00
Chief Auditor	5,031.00
Accountant	5,031.00
Auditors	8,606.00
Bookkeepers	9,080.50
Disbursing Clerks	7,371.00
Federal Tax Clerks	8,222.50
Steno-Clerks	6,669.00

A-2. Wages

955.50

A-3. Special Payments:

Clerical Help

18,100.00

B. Contractual Services:

B-2. Travel

1,300.00

B-3. Telegraph and Telephone ..

1,000.00

B-4. Repairs

1,500.00

C. Supplies:		
C-4. Office Supplies	7,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	39.00	
D-2. Insurance	300.00	
D-3. Contributions	50.00	
G. Equipment:		
G-1. Office Equipment	15,526.00	
Total (Item 1) Executive Control of Accounts		\$ 119,626.00
Item 2. Counties:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
County Auditors	\$ 151,800.00	
County Treasurers	151,800.00	
B. Contractual Services:		
B-5. Printing and Advertising ..	48,000.00	
Settlements with Counties	6,000.00	
Total (Item 2) Counties		\$ 357,600.00
Item 3. Elections:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Supervisors of Registration ..	\$ 69,000.00	
B. Contractual Services:		
B-7. Election Expenses	25,000.00	
Total (Item 3) Elections		\$ 94,000.00
Item 4. Confederate Pensions:		
A. Personal Service:		
A-3. Special Payments:		
Per Diem of Board	\$ 100.00	
D. Fixed Charges and Contributions:		
D-3. Contributions:		
Confederate Pensions	32,000.00	
Total (Item 4) Confederate Pen- sions		\$ 32,100.00
TOTAL (Comptroller General's Office)		\$ 603,326.00

Provided, That widows of Confederate veterans, who have attained the age of ninety (90) years, shall receive as pension the sum of Six Hundred (\$600.00) Dollars per year each, and that all others entitled to pensions under statute shall receive Two Hundred (\$200.00) Dollars each per year. *Provided, Further*, That not more than one pension shall be allowed or paid after the death of a pensioner, the said amount after death being for the purpose of defraying the funeral expenses of the said pensioner, but such funeral expense shall not exceed the sum of Three Hundred (\$300.00) Dollars. *Provided, Further*, That for the year 1959-60 pensions shall be paid directly from the office of the Comptroller General, in a single payment, and as early after the beginning of the fiscal year as may be practical.

Provided, Further, The Comptroller General is hereby authorized to deputize any clerk or clerks in his employ to sign, in his stead, warrants drawn against the treasurer in payment of fixed appropriated items including salaries and other routine payments, or to employ the use of a mechanical signer, and the State Treasurer is hereby authorized to accept such signatures when notified by the Comptroller General; *Provided*, That this provision shall in no way relieve the Comptroller General of responsibility.

Provided, That for the fiscal year 1959-60 the state shall pay on the salaries of County Auditors and Treasurers \$3,300.00 each.

Provided, Further, That for the fiscal year 1959-60 Commissioners of General Elections shall receive a per diem at the rate of \$150.00 per year, payable quarterly, and Managers and Clerks shall receive a per diem of \$6.00 per day; but Managers shall not be paid for more than one day for any election, and Clerks for not more than 3 days for any election.

SECTION 9

Attorney General

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Attorney General	\$ 11,000.00
First Assistant Attorney General	9,000.00
Assistant Attorney General ...	8,500.00
Assistant Attorneys General (5) ..	35,750.00
Assistant Attorney General ...	8,900.00
Assistant Attorney General ...	8,500.00
Assistant Attorney General ...	6,205.00

Secretary—Law Clerk	4,950.00	
Stenographer-Clerk	3,600.00	
Stenographer-Clerk	3,400.00	
Stenographer-Clerk	3,000.00	
Extra Stenographic Help	2,750.00	
General Counsel—Public Service Commission	6,075.00	
A-2. Wages:		
Porter	140.00	
B. Contractual Services:		
B-2. Travel	2,000.00	
B-3. Telegraph and Telephone ..	2,500.00	
B-4. Repairs	100.00	
C. Supplies:		
C-4. Office Supplies	750.00	
D. Fixed Charges and Contributions:		
D-1. Post Office Box Rent	24.00	
D-2. Insurance (Official Bonds) ..	62.50	
D-3. Contributions	150.00	
G. Equipment:		
G-1. Office Equipment	2,500.00	
Total (Item 1) For Administration		\$ 119,856.50
Item 2. For State Litigation:		
A. Personal Service:		
A-3. Special Payments	\$ 3,000.00	
B. Contractual Services:		
B-2. Travel	8,000.00	
B-5. Printing and Advertising ..	2,000.00	
C. Supplies:		
C-4. Office Supplies	5,000.00	
Total (Item 2) For State Litigation		\$ 18,000.00
TOTAL (Attorney General)		\$ 137,856.50

Provided, That the Attorney General is hereby authorized to contract for the collection of debts, claims or obligations due the State, or any of its departments or institutions.

Provided, Further, That, unless otherwise provided herein, no department or agency of the State government shall employ attorneys

except upon the advice and with the consent of the Attorney General in writing. Any fees to be paid such attorneys shall be approved by the Attorney General. This shall not apply to employment of attorneys in special cases in inferior courts where the fee to be paid does not exceed Twenty-five (\$25.00) Dollars.

Provided, Further, That the Attorney General shall assign one of his Assistants as Counsel for the South Carolina Tax Commission, who shall perform all of the duties necessary in that Department, but shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall assign one of his assistants to the South Carolina Industrial Commission to perform all necessary legal duties in that department, but he shall also perform such additional duties as may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall designate one of his assistants whose primary duties shall be to perform all necessary legal work for the Insurance Department, and any additional duties that may be assigned to him by the Attorney General.

Provided, Further, That the Attorney General shall appoint a general Counsel for the South Carolina Public Service Commission, who shall be an Assistant Attorney General, and who shall perform the legal duties of that Department, and any other duties to which he may be assigned by the Attorney General; *Provided, Further,* That the assessment against Public Utilities for the support of the Public Service Commission shall include a sufficient amount to cover the compensation and expenses of attorneys assigned by the Attorney General to the Public Service Commission.

Provided, Further, That necessary stenographic and other expenses of the attorneys assigned to other departments shall be borne by the Department to which the said attorneys are assigned.

SECTION 10

State Treasurer's Office

Item 1. Receiving and Disbursing

Funds:

A. Personal Service:

A-1. Salaries:

Treasurer	\$	11,000.00
Assistant Treasurer		7,500.00
Deputy		5,300.00

Chief—Bond Section	5,600.00	
Bond Clerk	4,800.00	
Auditor	4,800.00	
Corporation Clerk	4,260.00	
Securities Clerk	4,250.00	
Disbursing Clerk	3,850.00	
Bookkeepers (3)	15,100.00	
Senior Clerk	3,950.00	
A-2. Wages:		
Porter	485.00	
A-3. Special Payments:		
Extra Clerical Help	1,300.00	
B. Contractual Services:		
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone ..	800.00	
B-4. Repairs	1,200.00	
B-5. Printing and Advertising ..	750.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	90.00	
D-2. Insurance	4,020.00	
D-3. Contributions (Association Dues)	55.00	
D-4. Service Charges	500.00	
G. Equipment:		
G-1. Office Equipment	1,000.00	
Total (Item 1) Receiving and Dis- bursing Funds		\$ 86,110.00
Item 2. Payment of Bonded Debt:		
D. Fixed Charges and Contributions:		
D-4. Payment of Bonded Debt:		
Interest on Agricultural College Stock:		
July 1, 1959	\$ 5,754.00	
January 1, 1960	5,754.00	
Interest on Clemson Perpetual Stock:		
July 1, 1959	1,756.18	
January 1, 1960	1,756.18	

Principal and Interest Payment
on Whitten Village and
John G. Richards Ind. Sch.
Notes:

October 15, 1959 Principal ..	100,000.00
October 15 1959 Interest ...	10,500.00
April 15, 1960 Interest	9,000.00

Principal and Interest Payments
on School for the Deaf and
the Blind and F. F. A.
Camp:

October 15, 1959 Principal ..	95,000.00
October 15, 1959 Interest ...	9,500.00
April 15, 1960 Interest	7,600.00

Principal and Interest Payments
on State Ports Bonds:

September 1, 1959 Principal ..	300,000.00
September 1, 1959 Interest ..	96,900.00
March 1, 1960 Interest	91,800.00

Principal and Interest Payments
on State Ports Bonds:

December 1, 1959 Interest ..	121,125.00
June 1, 1960 Principal	500,000.00
June 1, 1960 Interest	121,125.00

Principal and Interest Payments
on Stadium Notes:

October 1, 1959 Principal ..	40,000.00
October 1, 1959 Interest	11,200.00
April 1, 1960 Interest	10,400.00

Institutional and Armory Bonds
(1958):

August 1, 1959 Interest	38,250.00
February 1, 1960 Interest ...	38,250.00
February 1, 1960 Principal ..	212,500.00

Total (Item 2) Payment of Bonded
Debt

\$ 1,828,170.36

Total (State Treasurer's Office) ...

\$ 1,914,280.36

Provided, That seven and one-half (7½%) per cent of the state income taxes collected between July 1, 1959, and June 30, 1960, shall

be allocated to the Counties of the State. Within thirty (30) days after the close of each quarter, the State Treasurer shall remit to each county of the State its percentage of the net income of such income taxes collected, according to his records, during the quarter just preceding. If, because of refunds by the Tax Commission, or for any other reason, it should develop that an overpayment shall have been made to any or all of the counties, the State Treasurer is authorized and directed to withhold from subsequent payments a sufficient amount to adjust same to the terms of this provision. The amount herein allocated to the counties shall be distributed on a population basis according to the latest official Federal census at the time of distribution, and shall be placed by the county treasurer in the general funds of the respective counties.

SECTION 11

Adjutant General's Office

Item 1. Administration:

A. Personal Service:

A-1. Salaries:

Adjutant General	\$ 11,000.00
Assistant Adjutant General ...	6,045.00
Secretary	4,504.00
Personnel Officer	5,215.00
Clerk	3,270.00
Clerk ..	2,758.00
Stenographers	5,516.00
Steno-Clerks	7,761.00
Clerks	7,761.00
Armorer	2,842.50

A-2. Wages

9,490.50

A-3. Special Payments

2,000.00

B. Contractual Services:

B-2. Travel

3,000.00

B-3. Telegraph and Telephone ..

3,500.00

B-4. Repairs

15,000.00

B-6. Water, Heat, Light and

Power

3,960.00

C. Supplies:

C-2. Fuel Supplies

3,900.00

C-4. Office Supplies

2,500.00

C-8. Motor Vehicle Supplies

700.00

C-11. Other Supplies

1,200.00

D. Fixed Charges and Contributions:

D-2. Insurance	11,000.00
D-3. Contributions (Assn. Dues)	1,225.00
D-4. Other Fixed Charges (Co. Maintenance Fund)	55,000.00
Officers Candidate School (Pal. Mil. Acad.)	9,000.00

G. Equipment:

G-1. Office Equipment	750.00
G-8. Other Equipment	1,000.00

Total Item 1 (For Administration) .	\$	179,898.00
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TOTAL (Adjutant General) .	\$	179,898.00
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SECTION 12

University of South Carolina

For Maintenance (on a racially segregated basis only) . . .	\$ 3,132,849.00
Operation of Law Enforcement Training School	20,000.00

Total (University of South Caro- lina) .	\$	3,152,849.00
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SECTION 13

The Citadel

For Maintenance (on a racially segregated basis only) . . .	\$ 1,522,275.00
For Debt Service on Stadium Bonds	12,975.00

Total (The Citadel) .	\$	1,535,250.00
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SECTION 14

Clemson College (Collegiate Activities)

For Maintenance (on a racially segregated basis only) . . .	\$ 2,852,434.00
Teaching and Research in Wa- ter and Sewerage	10,000.00

Total Clemson College (Collegiate Activities) .	\$	2,862,434.00
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SECTION 15

Winthrop College

For Maintenance (on a racially
segregated basis only) . . . \$ 1,244,919.00

Provided, That the Trustees of Winthrop College are authorized to continue the employment of Mrs. D. B. Johnson, widow of the founder of Winthrop College, regardless of retirement age.

SECTION 16

State Medical College

Medical College Maintenance
(on a racially segregated
basis only) \$ 1,080,380.00
For Cancer Clinics 100,000.00
School of Nursing Building 58,448.00
Medical College Hospital 1,250,000.00

Total (State Medical College) \$ 2,488,828.00

Provided, That out of the amount appropriated in this section the sum of \$8,000.00, or so much thereof as may be necessary, shall be used to cover the costs of scholarships provided in Act No. 800 of the Acts of 1948.

Provided, Further, That any balance on June 30, 1959, in the 1958-59 appropriation for the Medical College Hospital may be carried forward and expended for the same purpose during the fiscal year 1959-60.

SECTION 17

S. C. State College

For Maintenance (on a racially
segregated basis only) \$ 1,293,032.00

Provided, That the Board of Trustees of S. C. State College is hereby authorized to establish and maintain Graduate, Law, and Medical departments, and such other departments as may be deemed practicable and necessary to provide training in all lines of college activities for students attending this College, and to fix tuition fees for such courses commensurate with the costs thereof and in line with similar tuition charges at other state institutions.

SECTION 18

John de la Howe School

For Maintenance \$ 190,890.00

SECTION 19

School for the Deaf and the Blind

For Maintenance \$ 492,889.00

SECTION 20

Superintendent of Education's Office

Item 1. Superintendence:

A. Personal Service:

A-1. *Salaries:*

Superintendent of Education ..\$ 11,000.00

Secretary 4,529.00

Editor of Professional Publica-
tions 5,005.00

A-3. Special Payments:

Per Diem of Board 1,000.00

Total Item 1 (Superintendence) ... \$ 21,534.00

Item 2. State Department of Educa- tion—General

Division of Administration and Fi- nance:

A. Personal Service:

Dept. of School Administration:

A-1. *Salaries:*

Director\$ 6,800.00

Secretary 3,000.00

School Lunch Program:

Supervisor 5,200.00

Assistant Supervisor 4,950.00

Supervisor—Food Distribution 4,200.00

Steno-Bookkeeper 3,146.00

Clerks (3) 7,865.00

School Attendance Supervisor .. 5,200.00

Department of Finance:

A-1. *Salaries:*

Finance Officer 7,000.00

Disbursing Clerk-Bookkeeper .. 4,300.00

State Aid Accountant 5,200.00

Supervisor Statistical Reports .. 5,200.00

Supervisor Machine Records .. 4,600.00

Steno-Bookkeeper	3,500.00
Auditors	8,148.00
Punch Machine Operator	2,800.00
Punch Machine Operator	2,800.00
A-2. Wages:	
Porter	950.00
A-3. Special Payments:	
Accountants—Part Time	4,000.00
B. Contractual Services:	
B-1. Freight, Express and Delivery	25.00
B-2. Travel	30,000.00
B-3. Telephone and Telegraph ..	4,500.00
B-4. Repairs	500.00
B-5. Printing:	
Printing—Educational Bulletins ..	7,200.00
Printing—Alcohol Education ..	200.00
C. Supplies:	
C-4. Office Supplies	14,000.00
C-7. Educational Supplies	300.00
D. Fixed Charges and Contributions:	
D-1. Rents	12,000.00
D-2. Insurance—Bond Premiums ..	25.00
D-3. Contributions (Association Dues)	500.00
G. Equipment:	
G-1. Office Equipment	1,500.00
Division of Teacher Education and Certification:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	6,800.00
Secretary	3,500.00
Supervisors (2)	10,100.00
Steno-Clerk	2,860.00
Chief Clerk	3,500.00
Trades Certificate Clerk	3,200.00
Recertification Clerk	2,860.00
Recertification Clerk	2,750.00
Steno-Clerk	2,860.00

Transcript Clerk	2,860.00	
Clerk	2,657.00	
A-3. Special Payments:		
Clerical Help	12,000.00	
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Certification Expense	30,000.00	
Division of Instruction:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	6,800.00	
Secretary	2,600.00	
Field Supervisors (2)	10,475.00	
Chief Supervisor Secondary		
Education	6,400.00	
Secretarial Assistant	3,939.00	
Chief Supervisor of Elementary		
Education	6,000.00	
Supervisor, Primary Education	5,300.00	
Stenographer	2,600.00	
Supervisor Physical Education	6,025.00	
Supervisor Health Education .	5,200.00	
Agent for Negro Schools	6,025.00	
Assistant Agent	5,200.00	
Stenographer	2,600.00	
Stenographer	2,600.00	
Negro Supervisor	4,767.00	
Supervisor Library Science ...	5,200.00	
Supervisor Adult Education ..	5,200.00	
Supervisor Audio Visual Aid .	5,450.00	
Supervisor Special Education .	6,000.00	
Total Item 2 (State Department of		
Education—General)		\$ 343,937.00
Item 3. Special Services:		
A. Personal Service (Veterans' Ed-		
ucation):		
A-1. <i>Salaries:</i>		
Director	\$ 5,839.00	
Secretary	3,146.00	
Stenographer	2,860.00	

Hard-of-Hearing and Speech Therapy
Program:A-1. *Salaries:*

Supervisor	\$ 5,788.00
Stenographer	2,600.00
Technical Assistant	5,250.00
Hearing and Speech Correction- ist	4,800.00
Hearing and Speech Correction- ist	4,387.00
Field Representative	3,900.00
Counselor	3,900.00

B. Contractual Services:

B-1. Printing for Public Schools	12,000.00
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D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

Aid to Handicapped, Hard-of- Hearing, and Speech Ther- apy Program	18,000.00
Trade and Industries Camp Im- provements:	
Curriculum Development ...	16,000.00
State Aid for Teachers' Salaries for Racially Segregated Schools only	50,328,000.00
Supervision and Overhead for Racially Segregated Schools only	2,967,435.00
Maintenance and Operation for Racially Segregated Schools only	2,967,435.00
Visiting Teachers (\$2,875.00 per county)	132,250.00
County School Lunch Supervi- sors	132,250.00
School Lunch Program Aid for Racially Segregated Schools only	165,000.00
County Superintendents of Ed- ucation	189,750.00

For Matching Federal Funds for Administration of Fi- nancial Assistants for Strengthening Science, Mathematics, and Modern Foreign Language Instruc- tion	35,000.00	
For Matching Federal Funds for Guidance, Counseling and Testing; Identification and Encouragement of Able Students	13,474.00	
Total Item 3 (Special Services) ..		57,019,064.00
Item 4. Special Schools:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Adult Schools	\$ 60,000.00	
Area Trade Schools Operating ..	356,000.00	
Operation of Catawba Indian School	1,600.00	
Total Item 4 (Special Schools) ..		\$ 417,600.00
Item 5. Vocational Education:		
D. Fixed Charges and Contributions:		
D-4. Other Fixed Charges:		
Agriculture	\$ 930,002.00	
Home Economics	572,222.00	
Trades and Industries	258,947.00	
Distributive Education	45,769.00	
Teacher Training	15,000.00	
Future Farmers of America Camps	2,500.00	
Home Economics Girls' Camps ..	5,000.00	
Trades and Industries—Camp Improvements	2,500.00	

Matching Federal Funds Area Vocational Education Pro- grams	25,000.00
Total Item 5 (Vocational Education)	\$ 1,856,940.00
GRAND TOTAL	\$59,659,075.00

Provided, That the number of teachers qualifying for State Aid in 1959-60 shall be determined on the basis of enrollment and average daily attendance of either the year 1958-59 or 1959-60.

Provided, Further, That so much as may be necessary of the appropriation herein made for "State Aid for Teachers' Salaries" provided in Item 3 of this section, may be used to pay State Aid for Teachers' Salaries for the year 1958-59 should the appropriation for that year prove inadequate.

Provided, Further, That so much as may be necessary of the appropriation for payment of teachers' salaries, and for supervision and overhead, provided in Item 3 of this section, may be used to correct erroneous payments of prior years, which were due to improper classification or other justifiable causes.

Provided, Further, That the amount appropriated herein under Item 3 for County School Lunch Supervisors shall be used for the payment of salaries of one supervisor for each county at the rate of \$2,875.00 each per year, and no such salary shall be supplemented from funds provided in Item 3, of this Section, for "School Lunch Program Aid".

Provided, Further, That any excess of funds appropriated for the payment of teachers' salaries for the fiscal year 1958-59 may be carried forward and expended for the same purpose during the fiscal year 1959-60.

Provided, Further, That the amount appropriated herein under Item 3 for Aid to Counties in the School Lunch program shall be divided among the County Boards of Education of the State upon the basis of the number of schools participating in the School Lunch Program in each County in the school year 1958-59. *Provided, Further*, That travel expense of County School Lunch Supervisors shall be paid out of this appropriation at the prevailing rate of mileage allowed by the State. *Provided, Further*, That all expenditures of this appropriation by each of the County Boards of Education shall be made upon the joint recommendation of the County Superintendent

of Education and the School Lunch Supervisor. Each County Superintendent shall, at the close of the fiscal year, submit to the State Superintendent of Education an itemized statement which shall indicate the disposition made of his county's share of this appropriation and any balance brought forward from the preceding year. Such records of the County Boards of Education shall be kept available for auditing by the accounting personnel of the State Superintendent of Education's office.

Provided, Further, That no pupil shall be refused lunch because of inability to pay, such inability to be determined by the local school superintendent and lunch room supervisor where the pupil attends.

Provided, Further, That in the distribution of State funds provided in this section for "Supervision and Overhead" and for "Maintenance and Operation" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based. *Provided, However,* That a pupil shall be counted as enrolled only in the first district, or operating unit, he legally attended.

Provided, Further, That, notwithstanding the amounts listed in Item 3 as appropriated for "Supervision and Overhead" and for "Maintenance and Operation," there is hereby appropriated, for the fiscal year 1959-60, an amount for each classification equal to the number of pupils enrolled in the public schools of the State during the fiscal year 1959-60, as determined by the State Superintendent of Education, multiplied by Five (\$5.00) Dollars.

Provided, Further, That the State Superintendent of Education is hereby authorized to withhold an amount not to exceed \$240,000.00 from the \$5.00 per pupil appropriated for supervision and overhead, to be used for matching Federal funds provided in Title V of the National Defense Education Act of 1958, and that the balance of the \$5.00 per pupil be distributed to the school districts in the same manner as provided by law.

Provided, Further, that the Federal funds provided in Title V for guidance, testing, and counseling, plus the funds withheld, will be distributed to the school districts under the state plans approved by the State Board of Education by which South Carolina is qualified to participate in the program. Schools that do not wish to participate under the provisions of Title V of the National Defense Education Act will be reimbursed with any state funds that have been withheld under this proviso.

Provided, Further, That for the fiscal year 1959-60 the State shall pay on the salaries of County Superintendents of Education \$4,125.00 each on warrants approved by the State Superintendent of Education. In counties where schools are operated by the County Board of Education under a county unit system such payment for county superintendents of education may be applied by the Board of Education on the salary of the director or chief administrative officer of schools.

Provided, Further, That the authorities of the Area Trade Schools are authorized and directed to charge a tuition fee to students of not exceeding \$30.00 per semester, and to use the proceeds of such tuition fees for operation and/or permanent improvements. The amount of the tuition fees to be used for permanent improvements, and the nature of such improvements, shall be approved by the State Budget and Control Board.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are working with the Federal Projects and who are below existing salaries for comparable services in other state agencies and institutions.

SECTION 21

South Carolina Opportunity School

For Maintenance	\$ 157,500.00
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SECTION 22

State Agency of Vocational Rehabilitation

Vocational Rehabilitation	\$ 305,000.00
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Provided, That any balance in the appropriation for Vocational Rehabilitation for the year 1958-59, but not in excess of 5% thereof, may be carried forward and expended for the same purposes during the fiscal year 1959-60.

SECTION 23

State Educational Finance Commission

Item 1. Commission:

A. Personal Service:

A-3. Special Payments:

Per Annum of Commission . . .	\$ 500.00
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Item 2. General Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Assistant Director	8,350.00
Secretary	3,940.00
Bookkeeper	4,300.00
Field Consultant	4,770.00
Clerk	3,000.00
Stenographer (P.T.)	660.00

A-2. Wages	286.00
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B. Contractual Services:

B-2. Travel	10,000.00
B-3. Telegraph and Telephone ..	2,500.00
B-4. Repairs	400.00

C. Supplies:

C-4. Office Supplies	3,000.00
C-8. Motor Vehicle Supplies	550.00

D. Fixed Charges and Contributions:

D-2. Insurance (Bond Premium)	12.50
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G. Equipment:

G-1. Office Equipment	1,000.00
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Total Item 2 (General Administration)

\$ 51,768.50

Item 3. Transportation:

A. Personal Service:

A-1. *Salaries:*

State Supervisor	\$ 6,680.00
Assistant State Supervisor	5,750.00
Secretary	3,280.00
District Supervisors (6)	32,220.00

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

School Bus Operating Expense (for racially segregated buses only)	6,500,000.00
Bus Transportation Records ..	17,500.00

Total Item 3 (Transportation)

\$ 6,565,430.00

Item 4. School Buildings:

A. Personal Service:

A-1. *Salaries:*

Supervisor, Schoolhouse Plan- ning	\$ 6,680.00
Assistant Supervisor, School- house Planning	5,860.00
Secretary	2,980.00

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

County Surveys	1,500.00
School Building Aid	11,687,500.00

Total Item 4 (School Buildings) ..	11,704,520.00
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Item 5. Debt Service:

D. Fixed Charges and Contributions:

D-4. Other Fixed Charges:

State School Bonds:

Principal	\$ 1,412,000.00
Interest	238,415.00

Total Item 5 (Debt Service)	\$ 1,650,415.00
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GRAND TOTAL (State Educational Finance Commission)	\$19,972,633.50
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Provided, That, notwithstanding the amount listed in Item 4 of this Section, as appropriated for "School Building Aid," there is hereby appropriated for the fiscal year 1959-60 an amount equal to the number of pupils enrolled in the schools of the State during the fiscal year 1958-59, as determined by the State Department of Education, multiplied by Twenty (\$20.00) Dollars. *Provided*, That in the allocation of State Funds provided in this Section for "School Building Aid" no pupil shall be counted as enrolled, or as having been enrolled, in any public school of the State who has not attended such school at least 35 days during the school year on which the allocation of such funds is based.

Provided, Further, That principal and interest payments due on any school bonds, the proceeds of which have not been allocated to the counties of the State, shall be made from any such unallocated funds remaining in the State Treasury.

Provided, Further, That the State Educational Finance Commission is hereby authorized to sell used school buses that may be appraised by the State Highway Department to be no longer safe or economical in transporting school children, and the proceeds of such sales may be expended for such additional equipment or the operation thereof.

Provided, Further, That for the school year 1959-60 student school bus drivers shall be paid at the rate of \$35.00 per month, and adult drivers at not exceeding \$60.00 per month from State Funds. *Provided, further,* that the number of adult bus drivers paid from State Funds in any county shall not be in excess of 10% of the total number of bus drivers in such county.

Provided, Further, That a certificate of merit, signed by the appropriate state and local officer, shall be awarded annually to any student driver who has a perfect driving record, with no accident for which he is responsible, according to the determination of the State Highway Department, and with no infractions of rules or regulations. The certificate of merit shall be awarded at the commencement exercises of the school which the driver attends, and with each such certificate there shall be awarded \$25.00 in cash. The winners of the certificates and cash awards shall be selected by local school officials and County Boards of Education after consultation with the officials of the State Highway Department and an examination of its records pertaining to bus drivers.

Provided, Further, That the State Educational Finance Commission is directed to charge against the responsible local operating unit the cost of any gasoline and oil delivered to school tanks and not properly accounted for, after making reasonable allowance for evaporation.

Provided, Further, That out of the appropriation in this section for School Bus Operating Expense, the Commission may purchase such number of service trucks as can be used to advantage in administering the transportation program.

SECTION 24

South Carolina Library Board

For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 6,200.00
Catalog-Order Librarian	5,000.00
Field Service Librarian	5,000.00

Library Assistant	3,000.00	
Secretary-Bookkeeper	2,800.00	
Catalog Assistant	2,800.00	
Accession Assistant	2,800.00	
A-2. Wages:		
Janitor	217.00	
A-3. Special Payments:		
Travel and Per Diem of Board		
Members	500.00	
B. Contractual Services:		
B-1. Freight, Express and De-		
liveries	200.00	
B-2. Travel	2,500.00	
B-3. Telegraph and Telephone ..	300.00	
B-4. Repairs	100.00	
B-5. Printing and Advertising ...	300.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
C-8. Motor Vehicle Supplies	200.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	300.00	
D-3. Contributions (State Aid) ..	65,755.00	
G. Equipment:		
G-1. Office Equipment	400.00	
G-4. Motor Vehicles and Equip-		
ment	200.00	
G-7. Educational Equipment		
(Books for State Aid) ...	5,000.00	
TOTAL (South Carolina Library		
Board)		\$ 104,572.00

SECTION 25

South Carolina Schoolbook Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director and Executive Secre-	
tary	\$ 7,340.00
Assistant Director	5,767.00
Secretary	3,575.00

Bookkeepers (3)	9,666.00
Stenographer-Bookkeeper	3,240.00
Field Auditors (4)	17,564.00
A-3. Special Payments:	
Per Diem of Board	500.00
Clerical Help	2,000.00
B. Contractual Services:	
B-1. Freight, Express and Deliveries	1,800.00
B-2. Travel	5,600.00
B-3. Telegraph and Telephone ..	600.00
B-4. Repairs	350.00
B-5. Printing and Advertising ..	75.00
C. Supplies:	
C-4. Office Supplies	4,500.00
D. Fixed Charges and Contributions:	
D-2. Insurance	225.00
D-3. Contributions	20.00
G. Equipment:	
G-1. Office Equipment	700.00
G-4. Motor Vehicles and Equipment	75.00
TOTAL (South Carolina Schoolbook Commission)	\$ 63,597.00

Provided, That the Director of the Schoolbook Commission may expend from textbook rentals whatever amount is necessary in connection with the repair and redistribution of used textbooks.

SECTION 26

Archives Department

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Director	\$ 7,920.00
Assistant to Director	3,960.00
Secretary	3,737.50
Manuscript Repair Technician ..	3,000.00
Indexer	2,827.50
Indexer and Copyist	3,400.00
Editorial Assistant	3,450.00

Archivist	4,900.00	
Photographer	2,400.00	
A-2. Wages:		
Maintenance Man	3,000.00	
A-3. Special Payments:		
Clerical Help	1,200.00	
Travel and Per Diem	500.00	
B. Contractual Services:		
B-1. Freight, Express and Deliveries	1,575.00	
B-2. Travel	250.00	
B-3. Telegraph and Telephone ..	350.00	
B-4. Repairs	2,000.00	
B-5. Printing and Editing Historical Documents	20,000.00	
B-6. Water, Heat, Light and Power	5,295.00	
C. Supplies:		
C-4. Office Supplies	1,000.00	
C-9. Agricultural Supplies	250.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	600.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-7. Educational Equipment	1,000.00	
Total Item 1 (Administration)		\$ 73,115.00
Item 2. Calhoun Papers Project:		
For Administration:		
A. Personal Service:		
A-1. Salaries:		
Regular Staff	\$ 7,607.50	
Student Assistants	862.50	
B. Contractual Services:		
B-2. Travel	300.00	
C. Supplies:		
C-4. Office Supplies	150.00	

G. Equipment:

G-7. Educational Equipment	150.00
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Total Item 2 (Calhoun Papers

Project)	\$ 9,070.00
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GRAND TOTAL (Archives Depart-
ment)

	\$ 82,185.00
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Provided, That the Commission is authorized to supply one free copy of each new publication to the libraries of the University of South Carolina, The Citadel, Clemson, Winthrop, and S. C. State College; to each member of the Commission and its Directors; to the State Library; to each public library which is approved for a cash allotment by the South Carolina State Library Board; and to the State Historian Emeritus.

Provided, Further, That the proceeds of sales of publications by the Archives Department shall be deposited in a special account in the State Treasury, and may be used by this department to cover the cost of additional printing.

SECTION 27

State Library

For Administration:

A. Personal Service:

A-1. Salaries:

Librarian	\$ 4,827.00
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A-2. Wages:

Porter Service	1,793.00
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Laborers	300.00
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A-3. Special Payments:

Clerical Help	300.00
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B. Contractual Services:

B-1. Freight, Express and De-
liveries

	500.00
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B-2. Travel	400.00
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B-3. Telegraph and Telephone . .	200.00
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B-4. Repairs	700.00
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B-5. Printing, Advertising and Binding	250.00
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C. Supplies:

C-4. Office Supplies	500.00
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D. Fixed Charges and Contributions:	
D-2. Insurance	7.50
D-3. Contributions (Association Dues)	24.50
G. Equipment:	
G-1. Office Equipment	150.00
G-7. Educational Equipment ...	500.00
G-8. Other Equipment	50.00
TOTAL (State Library)	\$ 10,502.00

SECTION 28

Confederate Relic Room

For Administration:

A. Personal Service:

A-1. Salaries:

Custodian\$ 2,860.00

A-2. Wages:

Porter Service 120.00

Laborers 45.00

A-3. Special Payments:

Clerical Help 80.00

B. Contractual Services:

B-3. Telegraph and Telephone .. 160.00

B-4. Repairs 60.00

C. Supplies 20.00

G. Equipment:

G-1. Office Equipment 40.00

TOTAL (Confederate Relic Room) . \$ 3,385.00
SECTION 29

State Department of Public Welfare

Item 1. Administration \$ 1,300,000.00

Item 2. Cash Assistance:

(a) Old Age\$ 3,710,000.00

(b) Blind 229,000.00

(c) Dependent Children 1,055,000.00

(d) Aid to Permanently and

Totally Disabled 800,000.00

(e) Foster Home Care 275,000.00

Total (Item 2) Cash Assistance ... \$ 6,069,000.00

Item 3. General Relief	\$ 360,000.00
Item 4. Miscellaneous:	
(a) Eye Examination. and Treatment of and Training Blind	\$ 95,000.00
Item 5. Care of Persons Transferred from Confederate Home ..	\$ 21,000.00

TOTAL (State Department of Public Welfare)	\$7,845,000.00
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Provided, That any balances of appropriations for this Department, which are unexpended on June 30, 1959, may be carried forward and expended during the fiscal year 1959-60 for such purposes as may be deemed by the Board to be in the best interest of the work of the Department. *Provided, However*, That not more than five (5%) per cent of the amount appropriated for any item or subitem shall be carried forward.

Provided, Further, That the basis of monthly benefit payments during the year 1958-59 in the old age category shall be maintained during the year 1959-60.

Provided, Further, That the sums herein appropriated shall be so distributed that every applicant who is found eligible shall receive some benefit.

Provided, Further, that in providing care for Confederate widows, the Federal confederate pensions received by such persons shall not be considered as a resource.

SECTION 30

South Carolina Mental Health Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. Salaries:

Director	\$ 14,000.00
Secretary	3,661.00
Fiscal Agent	4,647.00
Bookkeeper	3,003.00
Statistician	4,533.00
Punch Machine Operators (2)	5,720.00
Stenographer	3,432.00

A-3. Special Payments	500.00
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B. Contractual Services:	
B-2. Travel	2,000.00
B-3. Telegraph and Telephone ..	2,500.00
B-4. Repairs	3,500.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	1,200.00
B-7. Other Contractual Services.	2,520.00
C. Supplies:	
C-2. Fuel Supplies	750.00
C-4. Office Supplies	2,500.00
C-7. Educational Supplies	500.00
C-8. Motor Vehicle Supplies	400.00
D. Fixed Charges and Contributions:	
D-2. Insurance	120.00
D-4. Other Fixed Charges	75.00
G. Equipment:	
G-1. Office Equipment	750.00
Total Item 1 (Administrative Division)	\$ 56,711.00
Item 2. Mental Hygiene Division:	
Operation of Clinics	146,925.57
TOTAL (S. C. Mental Health Commission)	\$ 203,636.57

SECTION 31

South Carolina State Hospital

For Maintenance	\$ 6,018,493.50
Payment on Sprinkler System	
Note	35,000.00

TOTAL (South Carolina State Hospital)	\$ 6,053,493.50
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Provided, That upon approval of the State Budget and Control Board, transfers may be made from the appropriation of the State Hospital to that of the Pineland Training School, or vice versa.

SECTION 32

Pineland Training School

For Maintenance	\$ 382,000.00
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SECTION 33

Whitten Village

For Maintenance	\$ 1,935,336.00
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Provided, That the Board is authorized to continue the employment of the present Superintendent, notwithstanding the requirements of law concerning the retirement of State employees.

SECTION 34

South Carolina Sanatorium

For Maintenance	\$ 1,076,700.00
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For County Sanatoria	139,500.00
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TOTAL (South Carolina Sanatorium)	\$ 1,216,200.00
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Provided, That the State of South Carolina shall pay to the County Tubercular Sanatoriums in Charleston, Richland, Florence, Darlington, Greenville and Spartanburg Counties, \$1.50 per day for each tubercular patient hospitalized and receiving treatment in such sanatorium and \$1.50 per day shall be deducted from the amount payable to county Sanatoria for each patient admitted to the South Carolina Sanatorium from such county; *Provided, However*, That all payments made by the State under the provisions hereof shall be approved by the South Carolina Sanatorium. And, in order to provide a means whereby the South Carolina Sanatorium may act intelligently in approving such payments, the diagnosis and condition of patients paid for by the State, and the standard of such sanatoria shall be subject to such checks and inspection at such intervals as the South Carolina Sanatorium may prescribe.

SECTION 35

Children's Bureau

For Administration:

A. Personal Service:

A-1. Salaries:

Supervisor	\$ 5,566.00
Directors of Case Work	5,060.00
Field Workers	28,545.80
Secretary	3,484.80
Bookkeeper	3,484.80
Stenographer	2,976.60
Stenographer and File Clerk ..	2,574.00

A-3. Special Payments:

Per Diem and Travel—Board of Directors	1,500.00
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Professional Fees	4,000.00	
Maternity Home and Hospital Care	6,000.00	
B. Contractual Services:		
B-2. Travel:		
For Employees	7,750.00	
For Children (Care and Sub- sistence)	15,000.00	
B-3. Telegraph and Telephone ..	800.00	
B-4. Repairs	150.00	
B-5. Printing and Advertising ..	300.00	
C. Supplies:		
C-4. Office Supplies	750.00	
C-6. Medical Supplies	1,000.00	
C-7. Educational Supplies	50.00	
C-10. Clothing and Dry Goods ..	500.00	
D. Fixed Charges and Contributions:		
D-3. Contributions	175.00	
G. Equipment:		
G-1. Office Equipment	500.00	
TOTAL (Children's Bureau)		\$ 90,167.00

SECTION 36

South Carolina Probation, Parole and Pardon Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,920.00
Supervisor of Paroles	6,500.00
Assistant Director	4,800.00
Field Supervisor	4,800.00
Fugitive Officer	4,800.00
Secretary	3,000.00
Stenographer	2,580.00
Steno-File Clerk No. 1	2,580.00
Steno-File Clerk No. 2	2,307.00
Stenographers for Probation Officers	27,360.00
Probation Officers	165,790.00
A-3. Special Payments:	
Per Diem of Board	1,500.00

B. Contractual Services:	
B-2. Travel	45,000.00
B-3. Telegraph and Telephone ..	1,000.00
B-4. Repairs	150.00
C. Supplies:	
C-4. Office Supplies	3,200.00
D. Fixed Charges and Contributions:	
D-2. Insurance	150.00
D-3. Contributions (Association Dues)	50.00
G. Equipment:	
G-1. Office Equipment	2,000.00
TOTAL (South Carolina Probation, Parole and Pardon Board)	\$ 285,487.00

SECTION 37

State Penitentiary

For Maintenance \$ 1,100,020.00

Provided, That the salaries of the Superintendent and of the Captain of the Guard shall be fixed by the Board of Directors of the Penitentiary.

Provided, Further, That from and after the passage of this Act no charge shall be made against the counties of the State for the maintenance of prisoners admitted to the Penitentiary for safekeeping for the first 90 days of such safekeeping, when a proper showing is made by the county authorities that there is sufficient necessity for the admission of such prisoners, but a charge of One Dollar and Thirty-Five (\$1.35) Cents for each day in excess of ninety (90) days shall be made to the county from which such prisoner is committed, and such charge shall be paid monthly.

Provided, Further, That, after consultation with the State Forester, mature trees and trees suitable for pulp wood or fence posts may be sold in a program of forest improvement.

Provided, Further, That revenue derived wholly from the sale of farm products may be retained by the Penitentiary and used in its operation.

Provided, Further, Whenever a convict shall be discharged from the Penitentiary the Board of Directors thereof shall furnish such convict with a suit of common clothes, if deemed necessary, and

transportation from the Penitentiary to his home, if his home be within this State, or to the County from which he was sentenced if his home be without this State.

SECTION 38

State Industrial Schools' Board

Item 1. For Administration:

A. Personal Service:

A-3. Special Payments:

Per Diem and Expense of Board

Members	\$ 3,000.00
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Item 2. Juvenile Placement Bureau:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,380.00
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Secretary	3,080.00
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Workers	12,540.00
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B. Contractual Services:

B-2. Travel	6,500.00
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B-3. Telegraph and Telephone ..	300.00
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C. Supplies:

C-4. Office Supplies	325.00
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D. Fixed Charges and Contributions:

D-2. Insurance	5.00
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G. Equipment:

G-1. Office Equipment	100.00
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Total (Item 2) Juvenile Placement

Bureau	\$ 29,230.00
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Total (State Industrial Schools'

Board)	\$ 32,230.00
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SECTION 39

Industrial School for Boys

For Maintenance	\$ 278,012.00
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Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 40

Industrial School for Girls

For Maintenance \$ 119,690.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 41

John G. Richards Industrial School

For Maintenance \$ 164,530.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 42

Industrial School for Negro Girls

For Maintenance \$ 77,532.00

Provided, That revenue derived from the sale of farm products grown at this institution may be remitted to the State Treasurer for credit to this appropriation and used for the operation of the said institution.

SECTION 43

State Budget and Control Board

Section 1. Finance Division:

A. Personal Service:

A-1. *Salaries*:

State Auditor	\$ 10,000.00
Assistant Auditors	43,000.00
Secretary	4,240.00
Stenographer-Clerk	3,510.00

A-2. *Wages*:

Porter Service	572.00
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A-3. *Special Payments*:

Special Payments-Clerical Help	4,700.00
Departmental Surveys	3,500.00
Engineering Services	13,200.00

B. *Contractual Services*:

B-2. Travel	6,000.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	150.00

C. Supplies:

C-4. Office Supplies 1,500.00

D. Fixed Charges and Contributions:

D-1. Rents 18.00

D-2. Insurance 175.00

D-3. Contributions (Association
Dues) 50.00

E. Civil Contingent Fund 150,000.00

G. Equipment:

G-1. Office Equipment 300.00

TOTAL Section 1 (Finance Division) \$ 242,115.00
Section 2. Division of Sinking Funds
and Property:

Item 1. Administration:

A-1. *Salaries:*

Director\$ 9,000.00

Special Agents 11,688.00

Secretary and Bond Clerk 4,066.00

Insurance Clerk 3,708.00

Clerk and Bookkeeper 3,618.00

Steno-Clerk 2,990.00

Steno-Clerk 2,990.00

B. Contractual Services:

B-2. Travel 1,250.00

B-3. Telegraph and Telephone .. 1,000.00

B-4. Repairs 300.00

B-5. Printing and Advertising .. 25.00

C. Supplies:

C-4. Office Supplies 1,150.00

C-8. Motor Vehicle Supplies 500.00

D. Fixed Charges and Contributions:

D-2. Insurance (Premium on
Bonds) 75.00

G. Equipment:

G-1. Office Equipment 250.00

Total (Item 1) Administration \$ 42,610.00

Item 2. State Buildings and Grounds:

A. Personal Service:

A-1. *Salaries:*

State Electrician	\$ 6,000.00
Asst. Electrician	4,850.00
Superintendent (Office Build- ings)	5,108.00
Asst. Superintendent (Office Buildings)	4,000.00
Mechanic	2,858.00
Gardener	4,647.00
Day Policeman	4,739.00
Night Watchmen	15,658.00
Maintenance Men	6,699.00
Wages—Confederate Home ..	3,835.00

A-2. *Wages:*

Janitors and Cleaners	67,614.00
Janitress—State House	835.00
Elevator Operators	9,840.00
Window Washers	1,320.00
Laborers	4,577.00

A-3. *Special Payments:*

Temporary Help	200.00
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B. Contractual Services:

B-1. Freight, Express and De-
liveries

100.00

B-2. Travel

300.00

B-3. Telegraph and Telephone ..

480.00

B-4. Repairs—General

18,298.00

Repairs—State House

140,000.00

B-6. Water, Heat, Light and

Power

133,500.00

C. Supplies:

C-2. Fuel and Refrigeration Sup-
plies

11,214.00

C-4. Office Supplies

420.00

C-5. Household, Laundry and

Janitorial Supplies

5,835.00

C-9. Agricultural Supplies

1,450.00

C-10. Clothing and Dry Goods ..

1,000.00

C-11. Maintenance Supplies

4,840.00

C-12. Other Supplies

10,782.00

D. Fixed Charges and Contributions:	
D-1. Rents	12.00
D-2. Insurance	3,582.00
D-4. Amortization of Office Building Debt	201,375.00
G. Equipment	3,840.00
Total (Item 2) State Buildings and Grounds	\$ 679,808.00
Total (Section 2) Division of Sinking Funds and Property ..	\$ 722,418.00
Section 3. Division of Office Supplies and Printing:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 6,000.00
Secretary	3,843.00
A-2. Wages:	
Delivery Service	1,089.00
A-3. Special Payments:	
Clerical Help	200.00
B. Contractual Services:	
B-2. Travel	500.00
B-3. Telegraph and Telephone ..	220.00
B-5. Printing and Advertising:	
Printing State Documents	160,000.00
University Library—Exchange	1,000.00
C. Supplies:	
C-4. Office Supplies	650.00
D. Fixed Charges and Contributions:	
D-1. Rents (Box Rent)	12.00
G. Equipment:	
G-1. Office Equipment	100.00
Total (Section 3) Division of Office Supplies and Printing	\$ 173,614.00

Section 4. Division of Purchasing:

Item 1. Purchasing:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,580.00
Chief Clerk	5,362.50
Secretary	4,290.00
Assistant Director	7,150.00
Clerks, Stenographers and Typists	9,350.50

B. Contractual Services:

B-1. Freight, Express and De- liveries	50.00
B-2. Travel	500.00
B-3. Telegraph and Telephone ..	975.00
B-4. Repairs	100.00
B-5. Printing and Advertising ...	600.00

C. Supplies:

C-4. Office Supplies	2,500.00
C-8. Motor Vehicle Supplies	500.00

D. Fixed Charges and Contributions:

D-1. Rents	24.00
D-2. Insurance	150.00
D-3. Contributions (Assn. Dues)	100.00

G. Equipment:

G-1. Office Equipment	500.00
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Total (Item 1) Purchasing	\$	40,732.00
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Item 2. Surplus Property:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,865.00
Field Agents (2)	11,082.50
Secretary	3,003.00
Steno-Clerk	2,860.00

B. Contractual Services:

B-2. Travel	3,500.00
B-3. Telegraph and Telephone ...	750.00
B-4. Repairs	200.00

C. Supplies:

C-4. Office Supplies 1,000.00

D. Fixed Charges and Contributions:

D-3. Contributions (Ass'n Dues) 25.00

Total (Item 2) Surplus Property ..	\$ 30,285.50
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Total (Section 4) Division of Purchasing	\$ 71,017.50
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Section 5. Retirement:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 9,000.00
Secretary	3,722.40
Chief Accountant	5,500.00
General Bookkeeper — Supervisor	5,500.00
Claims Examiner	5,500.00
Junior Accountant	3,960.00
Senior Bookkeeper	4,290.00
Steno-Clerks	19,670.50
Typist-File Clerk	2,555.30
Posting Machine Operators (4)	11,616.00
Register Clerk	3,025.00
Typist-Clerks	11,557.50
Bookkeeper	2,904.00
Senior Clerk	2,904.00
Disbursement Clerk	2,904.00
Junior Clerks (4)	11,254.10
Retirement Clerk	2,904.00

A-2. Wages:

Messenger-Janitor 1,597.20

A-3. Special Payments and Clerical Help

11,200.00

B. Contractual Services:

B-2. Travel 2,000.00

B-3. Telegraph and Telephone .. 1,200.00

B-4. Repairs 1,205.00

B-7. Other 75.00

C. Supplies:	
C-4. Office Supplies	9,400.00
C-8. Motor Vehicle Supplies	750.00
D. Fixed Charges and Contributions:	
D-2. Insurance	600.00
D-3. Contributions	95.00
G. Equipment:	
G-1. Office Equipment	10,215.50
Total (Administration)	\$ 147,104.50
State Employer Contribution ..	\$ 9,000,000.00
TOTAL (Section 5) Retirement	\$ 9,147,104.50
Total (State Budget and Control Board)	\$10,356,269.00

Provided, That warrant requisitions for the disbursement of funds appropriated in this Section shall be approved by the respective division heads. *Provided, Further*, That the Civil Contingent Fund, appropriated in Item 1 of this Section, shall be expended only upon unanimous approval of the State Budget and Control Board, and upon warrant requisitions signed as directed by the State Budget and Control Board, to meet emergency and contingent expense of the State Government. *Provided, Further*, That none of the Civil Contingent Fund shall be used to increase the salary of any State employee when such salary is specifically fixed in this Act.

Provided, Further, That the State Auditor may engage independent accountants to audit any State department or institution when he may deem it advantageous or wise to do so. The expense of such audits and the cost of other necessary supplies and equipment may be paid from the appropriation herein made for departmental surveys.

Provided, That notwithstanding the amount appropriated in Section 5 of this Section as "State Employer Contribution," the State Treasurer and Comptroller General are hereby authorized and directed to transfer from the General Fund of the State to the proper Retirement System Accounts, month by month, during the fiscal year 1959-60, such funds as are necessary to comply with the terms of the Retirement Act as amended, as to contributions by the State of South Carolina to the Retirement System.

Provided, Further, That each department, commission, agency, and/or instrumentality of the State of South Carolina, whose em-

ployees are covered by the South Carolina Retirement Act, and any part of whose administrative funds are derived from sources other than direct appropriations by the General Assembly, shall pay from such administrative funds a proportionate share of the State's contributions to the Retirement System Account.

Provided, Further, That the State Highway Department shall pay from Highway revenues that portion of the State's contribution to the Retirement System which is occasioned by the coverage of State Highway employees.

Provided, Further, That if any County or Municipality shall become 90 days delinquent in any payments due the Retirement System, the Retirement System shall certify such amount to the State Treasurer, and the State Treasurer is hereby directed to withhold from the next distribution of any revenue due such County or municipality, the amount so certified to him, and apply same to the Retirement System account of such County or municipality to cover such delinquency.

Provided, That the appropriation for Section 2, Item 1 of this section shall be paid from revenues of the various Sinking Funds.

Provided, Further, That the State Budget and Control Board is authorized and empowered to employ special agents to examine insurance risks carried by the said Board, and to perform any other duties which may be required of them, and the cost of necessary supplies, equipment, and travel expenses of the special agents, shall be paid from the revenues of the Insurance Sinking Fund.

Provided, Further, That the State Budget and Control Board is authorized to negotiate with the City of Columbia for sale to the city of the water line running out Broad River Road to State Institutions, which also serves many private owners, and to sell same to the city if an agreement can be reached.

SECTION 44

Board of Health

Item 1. Administration:

Office of State Health Officer:

A. Personal Service:

A-1. Salaries:

State Health Officer	\$ 12,000.00
Asst. State Health Officer	10,000.00
Secretary	5,219.00
Stenographer III	3,646.00

Drug Inspector	7,579.00
State Supervising Nurse	6,578.00
B. Contractual Services:	
B-2. Travel	4,200.00
Business Management:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	6,850.00
Accountant II	5,648.00
Stenographer III	3,646.00
Clerk II	3,003.00
Telephone Operator	3,003.00
Janitor	2,310.00
Messenger	2,145.00
Tabulating:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Tabulating Machine Supervisor	4,940.00
Tabulating Operators II	12,324.00
Tabulating Operators I	18,252.00
Vital Statistics:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Assistant State Registrar	5,200.00
Field Agent	5,200.00
Stenographers III	7,292.00
Stenographers II	6,113.00
Clerks III	6,842.00
Clerks II	29,102.00
Clerks I	23,676.00
B. Contractual Services:	
B-2. Travel	2,500.00
Public Health Education:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Health Education Consultant	5,915.00
Stenographer III	3,646.00
Vari-Typist	3,946.00
B. Contractual Services:	
B-2. Travel	2,500.00

Hospital Construction:

A. Personal Service:

A-1. *Salaries:*

Administrator	7,579.00
Stenographers III	6,864.00
Clerk II	3,003.00
Hospital Administrative Consultant	6,721.00
Architect	7,150.00
Construction Engineer	6,363.00
Hospital Inspectors	11,440.00
Accountant II	5,648.00

A-3. Special Payments:

Advisory Committee (Travel and Per Diem)	1,919.00
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B. Contractual Services:

B-2. Travel	7,140.00
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Merit System:

A. Personal Service:

A-1. *Salaries:*

Merit System Supervisor (P. T.)	2,400.00
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Total Item 1 (Administration) ... \$ 279,502.00

Item 2. Disease Control:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 10,000.00
Chief—Cancer, Heart, TB Services	10,000.00
Chief—VD Services (Crippled Children, and Rheumatic Heart Disease)	10,000.00
Stenographer III	3,646.00
Clerk III	3,517.00
P. H. Nurse IV	5,005.00
Veterinarian III (P. T.)	3,600.00

B. Contractual Services:

B-2. Travel	5,400.00
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Tuberculosis Control:

A. Personal Service:

A-1. *Salaries:*

Record Analyst	3,754.00
Clerk III	3,517.00
Clerks II	5,662.00

Clinic Services (Tuberculosis):

A. Personal Service:

A-1. *Salaries:*

Photofluorographic Operators..	15,700.00
Clerks II	4,992.00

Venereal Disease Control:

A. Personal Service:

A-1. *Salaries:*

Stenographer III	3,517.00
Clerk III	3,517.00
Clerk I	2,745.00

B. Contractual Services:

B-2. Travel	1,200.00
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Heart Disease Control:

A. Personal Service:

A-1. *Salaries:*

Stenographer II	2,964.00
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Clinic Services (Heart):

A. Personal Service:

A-1. *Salaries:*

Clerk II	2,745.00
P. H. Nurse I-A	3,432.00
Dietitian	4,290.00

A-3. Special Payments:

Clinician's Fees	250.00
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B. Contractual Services:

B-2. Travel	2,500.00
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Cancer Control:

A. Personal Service:

A-1. *Salaries:*

Clerk III	3,510.00
Public Relations Rep.	4,550.00

B. Contractual Services:

B-2. Travel	1,500.00
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Clinic Services (Cancer) :

B-7. Other Contractual Services:

Hospital Care 375,000.00

Epidemiology :

A. Personal Service:

A-1. *Salaries*:Insect, Rodent Control Super-
visor I\$ 7,722.00

Medical Entomologist III 6,792.00

Medical Entomologist II 5,863.00

B. Contractual Services:

B-2. Travel 5,400.00

Laboratory :

A. Personal Service:

A-1. *Salaries*:

Director\$ 10,000.00

Clinical Pathologist 10,000.00

Stenographer III 3,968.00

Bacteriologists III 12,441.00

Bacteriologist II 9,580.00

Clerk II 2,745.00

Clerks I 5,148.00

Laboratory Technicians II ... 14,190.00

Laboratory Technicians I 11,310.00

Laboratory Helper 1,800.00

B. Contractual Services:

B-2. Travel 400.00

 Total Item 2 (Disease Control) ... \$ 603,872.00

Item 3. Dental Health :

Office of Director :

A. Personal Service:

A-1. *Salaries*:

Director\$ 10,000.00

Stenographer III 3,325.00

B. Contractual Services:

B-2. Travel 4,000.00

 Total Item 3 (Dental Health) \$ 17,325.00

Item 4. Local Health Supervision:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Stenographer III	\$	3,646.00
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Item 5. Sanitary Engineering:

A. Personal Service:

A-1. *Salaries:*

Director (P.T.)	\$	4,550.00
Assistant Director		8,190.00
Stenographer III		3,646.00
Sanitary Engineers IV		14,657.00
Sanitary Engineer II		5,720.00
Sanitation Consultants		22,880.00
Bedding Inspectors		11,011.00

Total Item 5 (Sanitary Engineering)	\$	70,654.00
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Item 6. Maternal and Child Health:

Office of Director:

A. Personal Service:

A-1. *Salaries:*

Director	\$	10,000.00
Stenographer III		3,861.00

Total Item 6 (Maternal and Child Health)	\$	13,861.00
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Item 7. Crippled Children:

Crippled Children:

Convalescent Home	\$	65,000.00
Hospital Care		44,000.00
Orthopedic Camps		20,000.00

Speech Therapy:

A. Personal Service:

A-1. *Salaries:*

Speech Therapists (P.T.)		4,500.00
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B. Contractual Services:

B-7. Other Contractual Services:

Hospital Care		8,000.00
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Clinic Services (Rheumatic Fever):**A. Personal Service:****A-1. Salaries:**

Clerk II	2,745.00
P. H. Nurse IV	5,005.00
Pediatricians (PT)	1,800.00
Cardiologists (PT)	600.00

B. Contractual Services:

B-2. Travel	1,000.00
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Total Item 7 (Crippled Children) .	\$ 152,650.00
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Item 8. Executive Committee:**A. Personal Service:****A-3. Special Payments:**

Travel and Per Diem of Execu- tive Committee	\$ 2,650.00
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Item 9. Other Expenditures:**B. Contractual Services:**

B-1. Freight, Express and De- liveries	\$ 400.00
B-3. Telegraph and Telephone ..	2,800.00
B-4. Repairs	4,000.00
B-5. Printing and Advertising ..	4,000.00
B-7. Other Contractual Services.	600.00

C. Supplies:

C-4. Office Supplies	32,000.00
C-10. Clothing and Dry Goods ..	300.00

D. Fixed Charges and Contributions:

D-1. Rents	16,620.00
D-2. Insurance	3,300.00

G. Equipment:

G-1. Office Equipment	2,000.00
G-8. Laboratory Equipment and Supplies	5,000.00

Special Services (Counties):

Biologics	15,000.00
Antirabic Vaccine	7,500.00
VD Drugs	5,000.00
VD Control	2,400.00

Insect Control Program	100,000.00	
Anti-Polio Vaccine	50,000.00	
Total Item 9 (Other Expenditures)		\$ 250,920.00
Total (Central Administration)		\$ 1,395,080.00
Item 10. Aid to County Health Units		\$ 1,111,689.00
GRAND TOTAL (State Board of Health)		\$ 2,506,769.00

Provided, Further, That State funds herein provided for aid to County Health Departments shall be distributed as follows: Each county shall receive a flat grant of \$11,500.00, and the remainder of the appropriation therefor shall be distributed among the counties on a population basis according to the 1950 official Federal census. *Provided, However,* That no county shall receive less than the amount received for the year 1958-59.

Provided, Further, That Federal Funds made available to the State Board of Health, that can be allotted to the counties of the State for operation of County Health Units, shall be distributed among the counties of the State on a population basis, according to the 1950 official Federal Census.

Provided, Further, That both State and Federal funds allotted to any County Health Department shall be withheld from such county until a sum equal to twenty (20¢) cents per capita for the county's population, according to the 1950 Federal Census, shall have been provided by such county for use by its County Health Department in carrying on proper health programs to be agreed upon by the County Legislative Delegation and the State Board of Health. *Provided, However,* That if it is found that in any county a suitable health unit can be operated at less cost than is provided herein by the prescribed distribution of State and Federal Funds and the amount of twenty (20¢) cents per capita from local funds, County and State funds for the support of such unit shall be reduced in the same ratio.

Provided, Further, That the allocation of all Federal funds made available to the State Board of Health, including the allocation of such funds among the counties of the State for County and District Health Work, shall be approved by the State Budget and Control Board.

Provided, Further, That any unused State and/or Federal Funds, allocated and budgeted to a county, shall, subject to the approval of

the Senator and a majority of the House Members of such county, be made available to the State Board of Health for redistribution on the basis of need as determined by the State Board of Health.

Provided, Further, That out of the appropriation contained in this section for Aid to County Health Units, the sum of Forty Thousand (\$40,000.00) Dollars shall be reserved for use in the Atomic Plant Area, comprising the counties of Aiken, Allendale, Barnwell, Orangeburg and Bamberg, and may be expended in this area for public health purposes, in the discretion of the State Board of Health.

Provided, Further, That from funds available for the operation of Cancer Clinics, a clinic shall be maintained and operated at Self Memorial Hospital at Greenwood.

Provided, Further, That out of the appropriation provided in Item 10 of this section for State Aid to County Health Units, the sum of \$25,000.00 shall be distributed to the county health departments by the State Health Officer, with the approval of the Executive Committee of the State Board of Health, for the following purposes:

1. To insure the provision of a reasonably adequate public health program in each county.
2. To provide funds to combat special health problems that may exist in certain counties.
3. To establish and maintain demonstration projects in improved public health methods in one or more counties in the promotion of better public health service throughout the State.
4. To encourage and promote local participation in financial support of the county health departments.
5. To meet emergency situations which may arise in local areas.
6. To fit funds available to amounts budgeted when small differences occur.

Provided, Further, That the State Budget and Control Board may approve supplements from Federal Funds to State appropriated salaries of personnel who are below existing salaries for comparable services in other state agencies and institutions.

Provided, Further, That the State Board of Health is authorized to continue the employment of Dr. W. K. Fishburne, County Health Officer of the Berkeley County Health Unit, Dr. L. A. Hartzog, Health Officer of the Bamberg-Barnwell Health Unit, and Dr. L. C. Stukes, Health Officer of the Clarendon County Health Unit, notwithstanding the age requirement of the State Retirement System.

SECTION 45

Water Pollution Control Authority

For Administration:

A. Personal Service:

A-1. *Salaries:*

Executive Director (P. T.) . . . \$	4,550.00
Engineer—Chemist	7,150.00
Water Pollution Control Engineers II	10,270.00
Chemists	8,996.00
Secretary	3,543.00
Laboratory Technicians	3,432.00
Water Sample Takers	9,223.00
Clerks II	5,997.00

A-3. Special Payments:

Travel and Per Diem of Board Members	1,750.00
Special Fees	500.00

B. Contractual Services:

B-2. Travel	8,000.00
B-3. Telegraph and Telephone	450.00
B-4. Repairs	500.00
B-6. Water, Heat, Light and Power	100.00
B-7. Hearings	350.00

C. Supplies:

C-4. Office Supplies	500.00
C-8. Motor Vehicle Supplies	1,200.00
C-11. Laboratory Supplies	1,000.00

D. Fixed Charges and Contributions:

D-1. Rents	400.00
D-2. Insurance	480.00
D-3. Cooperative Agreement—U. S. Geological Survey	5,000.00

G. Equipment:

G-1. Office Equipment	500.00
G-4. Motor Vehicles and Equipment	800.00
G-8. Laboratory Equipment	1,000.00

Total (Water Pollution Control Authority)

\$ 75,691.00

SECTION 46

State Dairy Commission

For Administration:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 6,600.00
Auditors	25,150.00
Inspectors	9,650.00
Secretaries	6,600.00

A-3. Special Payments:

Per Diem for Commissioners (8)	1,120.00
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B. Contractual Services:

B-2. Travel	16,500.00
B-3. Telegraph and Telephone ..	1,600.00
B-4. Repairs	200.00

C. Supplies:

C-4. Office Supplies	2,150.00
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D. Fixed Charges and Contributions:

D-2. Insurance	50.00
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Total (Dairy Commission)	\$ 69,620.00
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SECTION 47

State Tax Commission

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 46,250.00
Supplemental Salary—Chairman	750.00
Legal Assistant	7,150.00
Finance and Purchasing Officer	5,980.00
Statistician	5,243.00
Clerks	51,576.34
Secretaries	39,853.00
Mail Clerks	13,680.00
Telephone Operators	8,580.00
Warrant Officers	107,377.00

A-2. Wages:	
Janitors	2,640.00
Total (Item 1) Administrative Division	\$ 289,079.34
Item 2. Inheritance Tax Division:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	\$ 7,800.00
Secretary	3,432.00
Clerk	2,917.00
Auditors	16,820.00
Total (Item 2) Inheritance Tax Division	\$ 30,969.00
Item 3. Property Tax Division:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	\$ 7,800.00
Assistant Director	5,005.00
Secretary	3,032.00
Clerks	14,518.00
Field Agents	31,668.00
Total (Item 3) Property Tax Division	\$ 62,023.00
Item 4. Income Tax Division:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Director	\$ 8,200.00
Assistant Director	7,400.00
Secretaries	11,089.00
Clerks	250,988.00
Auditors	270,593.00
Administration of Withholding Tax	200,000.00
Total (Item 4) Income Tax Division	\$ 748,270.00

Item 5. License Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,000.00
Assistant Director	6,000.00
Cashier	5,400.00
Secretaries	10,233.00
Clerks	50,733.00
Auditors	50,820.00
Field Agents	68,133.00

Total (Item 5) License Tax Division \$ 199,319.00

Item 6. Beer and Wine and Alcoholic
Liquors Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,000.00
Hearing Officer	5,000.00
Secretaries	9,955.00
Clerks	26,525.00
Examiners	9,276.00
Investigators	66,071.00

Total (Item 6) Beer and Wine and
Alcoholic Liquors Division \$ 124,827.00

Item 7. Sales Tax Division:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 8,200.00
Assistant Director	7,400.00
Supervisor—Use Tax	6,000.00
Cashier	4,548.00
Supervisor—Code and License	5,005.00
Supervisor—Suspense	5,362.00
Secretaries	34,070.00
Clerks	178,935.00
Supervisor—Machine Operators	5,958.00
Machine Operators	26,416.00
Auditors	262,949.00

Field Agents	260,611.00	
Temporary Help	2,932.10	
Total (Item 7) Sales Tax Division .		\$ 808,386.10
Item 8. General Operating:		
B. Contractual Services:		
B-1. Freight, Express and Deliveries	\$ 4,000.00	
B-2. Travel	400,000.00	
B-3. Telegraph and Telephone ..	16,850.00	
B-4. Repairs	10,000.00	
B-6. Water, Heat, Light and Power	25.00	
C. Supplies:		
C-4. Office Supplies and Stamps.	225,000.00	
C-8. Motor Vehicle Supplies	7,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	55,256.50	
D-2. Insurance—Premium on Bonds	8,000.00	
D-3. Contributions	1,000.00	
G. Equipment:		
G-1. Office Equipment	27,460.00	
G-4. Motor Vehicles and Equipment	5,000.00	
Total (Item 8) General Operating..		\$ 760,091.50
TOTAL (State Tax Commission) .		\$ 3,022,964.94

Provided, That the Tax Commission is hereby authorized to purchase Revenue stamps and to draw warrants for the payment thereof against the revenue account for which they were purchased.

Provided, Further, That the cost of law enforcement with respect to alcoholic liquors in the Governor's Office and the cost of the administration of the Alcoholic Liquors Division of the Tax Commission shall be deducted from the total revenues from alcoholic liquors before distribution of such revenues to the counties and municipalities of the State.

Provided, Further, That the Tax Commission, with the approval of the Budget and Control Board, is authorized to expend from the

revenue collected under the provisions of Act 654, Acts of 1956, such additional money as is necessary to the adequate administration and enforcement of the said Act.

SECTION 48

Insurance Commissioner's Office

Item 1. Executive Control of Insurance:

A. Personal Service:

A-1. *Salaries:*

Administration:

Insurance Commissioner \$	8,250.00
Deputy Commissioner	6,858.00
Secretary	3,977.00
Actuary	7,812.00
Rate Analyst	6,385.00
Secretary	3,409.00
Chief Clerk	4,971.00
Bookkeeper	3,900.00
Assistant Bookkeeper	3,409.00
Clerk	3,409.00
Clerk	2,557.00
Examiners	9,801.00

Investigators and Inspectors:

Field Supervisor	6,392.00
Secretary	3,409.00
Fire Investigators (2)	9,942.00
Fire Investigator	4,206.00
Fire Investigator	5,000.00
Claims Investigator	4,971.00
Claims Investigator	4,550.00
LPG Inspector	4,971.00
LPG Inspectors	8,522.00
LPG Clerk	2,557.00
Buildings Inspector	4,971.00

Agent's Licenses:

Director of Agent's Licenses .	4,370.00
Secretary	3,409.00
Field Agent	4,261.00
Senior Clerk	3,409.00
Stenographer	2,557.00
Clerks	8,240.00

B. Contractual Services:	
B-2. Travel	25,000.00
B-3. Telegraph and Telephone ..	2,000.00
B-4. Repairs	300.00
C. Supplies:	
C-4. Office Supplies	6,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	317.50
D-2. Insurance	2,415.00
D-3. Contributions	572.50
G. Equipment:	
G-1. Office Equipment	1,000.00
Total (Executive Control of Insurance)	\$ 188,080.00
Item 2. Administration of Securities Act:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Secretary	\$ 3,409.00
Item 3. Regulation of Real Estate Brokers:	
A. Personal Service:	
A-1. <i>Salaries</i> :	
Secretary	\$ 3,409.00
A-3. Special Payments	500.00
B. Contractual Services:	
B-2. Travel	1,200.00
B-3. Telegraph and Telephone ..	300.00
C. Supplies:	
C-4. Office Supplies	500.00
Total (Regulation of Real Estate Brokers)	\$ 5,909.00
TOTAL (Insurance Commissioner's Office)	\$ 197,398.00

SECTION 49

Contractors' Licensing Board

For Administration:

A. Personal Service:

A-1. *Salaries:*

Secretary-Treasurer	\$ 4,800.00
Inspector	4,800.00
Assistant Secretary	3,300.00
Steno-Clerk	2,200.00

A-3. Special Payments:

Per Diem Board Members	400.00
Examinations	1,200.00

B. Contractual Services:

B-2. Travel	4,000.00
B-3. Telegraph and Telephone ..	500.00
B-4. Repairs	100.00
B-5. Printing and Advertising ..	200.00

C. Supplies:

C-4. Office Supplies	3,000.00
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D. Fixed Charges and Contributions:

D-1. Rent	1,440.00
D-2. Bond Premium and Insurance	220.00

G. Equipment:

G-1. Office Equipment	500.00
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TOTAL (Contractors' Licensing Board)	\$ 26,660.00
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SECTION 50

State Service Bureau

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

State Service Officer	\$ 6,674.00
Asst. State Service Officer	6,075.00
Senior Field Investigator	5,480.00
Junior Field Investigator	4,800.00
Secretary	3,600.00
Senior Stenographer	2,990.00
Junior Stenographer	2,630.00

B. Contractual Services:	
B-2. Travel	1,500.00
B-3. Telegraph and Telephone ..	400.00
B-4. Repairs	100.00
C. Supplies:	
C-4. Office Supplies	630.00
D. Fixed Charges and Contributions:	
D-1. Association Dues	100.00
G. Equipment:	
G-1. Office Equipment	360.00
Total (Item 1) For Administration	\$ 35,339.00
Item 2. Operation of County Offices	\$ 226,200.00
Item 3. Veterans' Administration	
Personnel:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Service Officer, VFW	\$ 3,600.00
Secretary, Service Officer, VFW	2,400.00
Service Officers, DAV	5,880.00
Service Officer, The American Legion	4,800.00
Secretary, Service Officer, American Legion	960.00
Total (Item 3) Veterans' Adminis- tration Personnel	\$ 17,640.00
TOTAL (State Service Bureau)	\$ 279,179.00

Provided, That for the fiscal year 1959-60, the amount appropriated in Item 2 of this section shall be distributed among the counties of the state as follows: The sum of Three Hundred (\$300.00) Dollars shall be first allocated to each county of the State, and the remainder shall be distributed among the counties in the same proportion as provided in the original statute.

SECTION 51

Department of Agriculture

Item 1. Superintendence and Administration:

A. Personal Service:

A-1. *Salaries:*

Commissioner	\$ 11,000.00
Deputy Commissioner	7,000.00
Assistant to Commissioner	5,710.00
Finance Officer	4,950.00
Agriculturist	4,600.00
Secretary	4,500.00
Clerk-Typist	3,600.00
Editor—Market Bulletin	3,720.00
Clerks	9,500.00
Stenographer	2,730.00

Total (Item 1) Superintendence and Administration \$ 57,310.00

Item 2. Chemical Laboratory:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,000.00
Chief Chemist	6,000.00
Secretary	3,900.00
Stenographer	2,860.00
Chemists	26,000.00
Chief Seed Analyst	4,500.00
Seed Analysts	18,520.00
Seed Technicians	25,700.00
Laboratory Technician	3,200.00

A-2. *Wages:*

Porter	1,800.00
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Total (Item 2) Chemical Laboratory \$ 99,480.00

Item 3. Bureau of Inspection:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 5,710.00
Secretary	3,720.00

Secretary	3,600.00	
Seed, Feed, Oil and Scales:		
Inspectors	84,465.00	
Audit Clerk	4,500.00	
Auditors	4,200.00	
Stenographers	5,330.00	
Caretaker (Calibration Station)	600.00	
Total (Item 3) Bureau of Inspection		\$ 112,125.00
Item 4. Warehouse Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 5,710.00	
Secretary	3,720.00	
Chief Bookkeeper	4,890.00	
Audit Clerks	13,190.00	
Warehouse Auditors	32,350.00	
Clerk	3,850.00	
A-3. Special Payments:		
Extra Help	1,300.00	
Total (Item 4) (Warehouse Division)		\$ 65,010.00
Item 5. Egg Law Enforcement:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Inspectors		\$ 10,800.00
Item 6. General Operating:		
B. Contractual Services:		
B-1. Freight, Express and Deliveries	\$ 7,000.00	
B-2. Travel	59,600.00	
B-3. Telephone and Telegraph ..	3,000.00	
B-4. Repairs	2,200.00	
B-5. Printing and Advertising:		
Market Bulletin and Expense ..	55,000.00	
Agricultural Statistics	500.00	
B-6. Water, Heat, Light and Power	400.00	

C. Supplies:	
C-4. Office Supplies	25,000.00
C-7. Educational Supplies	45.00
C-8. Motor Vehicle Supplies ...	300.00
C-11. Other Supplies	2,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	36.00
D-2. Insurance	3,000.00
D-3. Association Dues	200.00
State Fair Exhibit	400.00
G. Equipment:	
G-1. Office Equipment	6,300.00
G-4. Motor Vehicles and Equip- ment	6,000.00
G-8. Other Equipment	27,800.00
Total (Item 6) General Operating.	\$ 198,781.00
TOTAL (Department of Agriculture)	\$ 543,506.00

SECTION 52

State Agricultural Marketing Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Marketing Director	\$ 4,171.00
Market Coordinator	5,363.00
Secretary	3,003.00

A-3. Special Payments:

Per Diem of Members	250.00
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B. Contractual Services:

B-2. Travel	3,000.00
B-3. Telegraph and Telephone ..	250.00
B-5. Printing and Advertising ..	100.00

C. Supplies:

C-4. Office Supplies	145.00
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D. Fixed Charges and Contributions:

D-3. Contributions	20.00
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G. Equipment:

G-1. Office Equipment	150.00
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Total (Item 1) For Administration.	\$ 16,452.00

Item 2. Farm Market Facilities, Surveys and Service	\$ 30,000.00
TOTAL (State Agricultural Marketing Commission)	\$ 46,452.00

SECTION 53

State Forestry Commission

Item 1. Division of Forestry:	
Operation and Maintenance	\$ 1,672,920.00
Item 2. Division of State Parks for racially segregated parks only	347,820.00
Item 3. Historical Areas	6,051.00
TOTAL (State Forestry Commission)	\$ 2,026,791.00

Provided, That, for reforestation purposes on State Forest lands, the State Forestry Commission is authorized to rent newly cleared lands for agricultural purposes, and to use the State's portion of the rent received therefrom for clearing additional lands, and, pending expenditures, such funds shall be held in a special account in the State Treasury.

Provided, Further, That the State Forestry Commission may refund deposits placed with the Commission with orders for tree seedlings and for park cabin reservations.

Provided, Further, That all net revenues derived from the operation of the fishing pier at the Myrtle Beach State Park shall be used for improvements at the said park.

Provided, Further, That the State Forestry Commission may sell telephone lines and telephone line equipment, owned by the said Commission, and use funds derived from such sales for the purchase and installation of short wave radio communications.

Provided, Further, That the State Forestry Commission is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place, when their headquarters are so moved in the course of the business of the department.

Provided, Further, That during the summer the Commission may cut fire lanes for private persons and charge for the same at the rate of \$25.00 per suppression unit per day.

Provided, Further, That out of the appropriation in Item 3 of this Section a sum not in excess of \$3,000.00 shall be expended for fencing, clearing, and maintenance of the site of old Fort Dorchester. This appropriation shall be available upon approval of this Act by the Governor, but not before the site has been acquired by the State of South Carolina, or a long term lease, approved by the State Budget and Control Board, has been agreed to by the owner.

SECTION 54

Clemson Agricultural College (Public Service Activities)

Item 1.	Agricultural Research	\$ 668,019.00
Item 2.	Fertilizer Inspection and Analysis	80,453.00
Item 3.	Extension Division	987,800.00
Item 4.	Livestock Sanitary Work ..	235,865.00
Item 5.	Camp Bob Cooper	2,400.00
Item 6.	Camp Long	2,400.00
Item 7.	Camp Harry Daniel	2,400.00

TOTAL (Clemson Agricultural College—Public Service Activities) \$ 1,979,337.00

Provided, That the Agricultural Research Division of Clemson College shall remit to the State Treasurer all revenues, including funds derived from the sale of farm products, for credit to a special account in the State Treasury for Agricultural Research Work, and that such funds may be withdrawn from the State Treasury, as needed, for the use of the Agricultural Research Division.

Provided, Further, That out of the appropriation provided in this section for Agricultural Research the sum of \$20,000, if so much be necessary, shall be used for research related to forest pests and the control of same, and whatever amount is deemed necessary shall be used in Poultry Research.

SECTION 55

State Soil Conservation Committee

For Administration:

A. Personal Service:

A-1. *Salaries:*

Executive Secretary	\$ 7,500.00
Clerk-Stenographer	2,800.00

A-3. Special Payments:	
Per Diem:	
Members State Committee ..	300.00
Clerical Help	300.00
B. Contractual Services:	
B-2. Travel	11,500.00
B-3. Telegraph and Telephone ..	500.00
B-5. Printing and Advertising ..	300.00
C. Supplies:	
C-4. Office Supplies	600.00
G. Equipment:	
G-1. Office Equipment	300.00
Total (State Soil Conservation Com- mittee)	\$ 24,100.00

SECTION 56

Department of Labor

Item 1. For Administration:

Office of the Commissioner:

A. Personal Service:

A-1. *Salaries*:

Commissioner	\$ 8,500.00
Investigation Supervisor	4,950.00
Secretary to Commissioner	3,432.00
Bookkeeper	3,432.00
Senior Conciliator	5,244.00
Junior Conciliator	4,766.00
Junior Conciliator	4,620.00

Division of Inspection:

Director of Inspection and Dep- uty Commissioner	5,200.00
Secretary to Director	3,432.00
Clerks (2)	5,200.00
Inspectors	45,925.00

Division of Standards and Statistics:

Director of Standards and Sta- tistics	5,005.00
Secretary to Director	2,574.00
Statistician	3,432.00
Clerks (2)	4,964.00

A-3. Special Payments:		
Clerical Help	300.00	
B. Contractual Services:		
B-2. Travel	32,000.00	
B-3. Telephone and Telegraph ..	1,200.00	
B-4. Repairs	200.00	
B-5. Printing and Advertising ..	660.00	
C. Supplies:		
C-4. Office Supplies	2,500.00	
C-8. Motor Vehicle Supplies	540.00	
C-11. Other Supplies	35.00	
D. Fixed Charges and Contributions:		
D-1. Rents	76.00	
D-2. Insurance	100.00	
D-3. Contributions:		
Association Dues	50.00	
Fair Exhibits	400.00	
G. Equipment:		
G-1. Office Equipment	350.00	
Total Item 1 (For Administration) .		\$ 149,087.00
Item 2. Division of Safety:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Safety Director	\$ 5,005.00	
Safety Engineers	12,525.00	
Secretary	3,219.00	
Total Item 2 (Division of Safety) ..		\$ 20,749.00
TOTAL (Department of Labor)		\$ 169,836.00

SECTION 57

South Carolina Employment Security Commission

The salaries of the South Carolina Employment Security Commissioners are hereby fixed at Six Thousand Six Hundred and Seventy-Four (\$6,674.00) Dollars each.

SECTION 58

South Carolina Industrial Commission

Item 1. Administration:

A. Personal Service:

A-1. *Salaries:*

Administrative:

Commissioners (5)	\$ 42,500.00
Administrative Assistant ...	6,958.00
Secretaries (5)	15,585.00
Reporters (5)	23,235.00
Secretary	3,689.00
Senior Stenographer	3,117.00
Bookkeeper	3,960.00

Coverage:

Secretary	2,957.00
Senior Stenographer	2,602.00
Senior Clerk	3,003.00
Senior Clerk	2,603.00

Claims:

Claims Examiner	6,000.00
Senior Stenographer	3,300.00
Senior Clerk	2,603.00
Senior Clerk	2,210.00

Clerical:

Senior Clerks (2)	6,234.00
Junior Clerk	2,603.00
Junior Clerk	2,445.00
Clerk-Typist	2,210.00

Medical:

Medical Consultant	2,174.00
Senior Stenographer	3,117.00

Safety:

Senior Safety Engineer	5,064.00
Junior Safety Engineer	4,180.00

Statistical:

Supervisor of Statistics and Claims	4,800.00
Statistician	3,289.00
Assistant Statistician	3,089.00
Machine Operator	2,774.00

State Fund:	
Director	6,897.00
Claims Investigator	4,529.00
Claims Investigator	3,800.00
Senior Stenographer	3,117.00
Senior Stenographer	3,117.00
Senior Clerk	2,602.00
Senior Payroll Auditor	4,529.00
Junior Payroll Auditor	3,900.00
Other Services:	
Mail Clerk	2,603.00
Switchboard Operator	2,431.00
A-3. Special Payments:	
Clerical Help	3,000.00
B. Contractual Services:	
B-2. Travel	17,000.00
B-3. Telegraph and Telephone ..	3,000.00
B-4. Repairs	500.00
B-5. Printing and Advertising ..	1,000.00
C. Supplies:	
C-4. Office Supplies	14,000.00
D. Fixed Charges and Contributions:	
D-1. Rents	5,000.00
D-2. Insurance, Workmen's Comp. and Bonds	1,000.00
D-3. Contributions	100.00
G. Equipment:	
G-1. Office Equipment	2,852.00
TOTAL (S. C. Industrial Commission)	\$ 251,278.00

SECTION 59

Wildlife Resources Department

Item 1. Administrative Division:

A. Personal Service:

A-1. *Salaries:*

Commissioners	\$ 700.00
Administrative Assistant	6,160.00
Information Assistant	4,460.00
Education Assistant	4,950.00
Secretaries (2)	7,150.00

A-3. Special Payments:		
Clerical Help	1,250.00	
B. Contractual Services:		
B-2. Travel	4,000.00	
B-3. Telegraph and Telephone ..	550.00	
B-4. Repairs	550.00	
B-5. Printing and Advertising ..	10,000.00	
C. Supplies:		
C-4. Office Supplies	2,250.00	
C-7. Educational Supplies	3,000.00	
C-8. Motor Vehicle Supplies	1,500.00	
D. Fixed Charges and Contributions:		
D-2. Insurance	350.00	
D-3. Contributions and Dues ...	250.00	
D-4. Other Fixed Charges—		
Surveys	1,750.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-7. Educational Equipment	2,000.00	
Total (Item 1) Administrative ...		\$ 51,370.00
Item 2. Division of Game:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director (Chief Game War-		
den)	\$ 8,580.00	
Assistant Director	7,710.00	
Chief Clerk	5,500.00	
Secretary-License Clerk	4,051.00	
Deputy Chief Clerk	4,290.00	
Clerk-Bookkeeper	3,300.00	
Senior Stenographer	3,575.00	
Senior Stenographer	3,575.00	
A-2. Wages	2,145.00	
Extra Clerical Help	1,200.00	
B. Contractual Services:		
B-1. Freight, Express and De-		
liveries	150.00	
B-2. Travel	3,000.00	
B-3. Telegraph and Telephone ..	700.00	
B-4. Repairs	650.00	

B-5. Printing and Advertising ..	250.00	
B-7. Other Contractual Services .	400.00	
C. Supplies:		
C-4. Office Supplies	2,000.00	
C-12. Other Supplies (Licenses, Forms, Etc.)	5,000.00	
D. Fixed Charges and Contributions:		
D-2. Insurance and Bonds	500.00	
G. Equipment:		
G-1. Office Equipment	350.00	
Total (Item 2) Division of Game ..		\$ 56,926.00
Item 3. Division of Commercial Fish- eries:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 6,435.00	
Auditor	4,800.00	
Secretary and Bookkeeper	3,575.00	
District Inspectors	28,400.00	
A-3. Special Payments:		
Clerical Help	2,640.00	
Operation Patrol Boats and Air- plane Hire	4,000.00	
Tender at Large	600.00	
Legal Services	600.00	
Oyster and Clam Culture	800.00	
For Conservation of Shad Fish.	400.00	
B. Contractual Services:		
B-2. Travel	11,300.00	
B-3. Telegraph and Telephone ...	500.00	
B-4. Repairs	3,000.00	
B-5. Printing and Advertising ...	25.00	
B-6. Water, Heat, Light and Power	200.00	
C. Supplies:		
C-1. Food Supplies	200.00	
C-4. Office Supplies	3,000.00	
C-6. Medical Supplies	100.00	
C-8. Motor Vehicle Supplies	4,000.00	

D. Fixed Charges and Contributions:

D-1. Rents	660.00
D-2. Insurance	1,000.00

G. Equipment:

G-1. Office Equipment	300.00
G-4. Motor Vehicle Equipment ..	5,000.00

Total (Item 3) Division of Commercial Fisheries

\$ 81,535.00

Item 4. Bears Bluff Laboratories:

A. Personal Service:

A-1. *Salaries:*

Director	\$ 7,865.00
Research Assistants (2)	9,672.00
Maintenance Supervisor	3,575.00
Secretary Bookkeeper	2,691.00
A-2. Wages	2,157.00
A-3. Special Payments	1,000.00
Shrimp Survey	12,000.00

B. Contractual Services:

B-2. Travel	350.00
B-3. Telegraph and Telephone ..	328.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	400.00
B-6. Water, Heat, Light and Power	345.00
B-7. Other Services	25.00

C. Supplies:

C-1. Food Supplies	75.00
C-2. Fuel Supplies	200.00
C-4. Office Supplies	200.00
C-5. Household, Laundry and Janitorial Supplies	25.00
C-8. Motor Vehicle Supplies	700.00
C-11. Maintenance Supplies	900.00
C-12. Other Supplies	200.00

D. Fixed Charges and Contributions:

D-2. Insurance	400.00
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G. Equipment:

G-1. Office Equipment	100.00
G-3. Household Equipment	100.00
G-8. Other Equipment	100.00

Total (Item 4) Bears Bluff Labora- tories	\$ 43,708.00
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TOTAL (Wildlife Resources Depart- ment)	\$ 233,539.00
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Provided, That the total amount of appropriations made in items one, two and three of this section shall be transferred from the revenues of this department to the general fund of the State for payment of the appropriations made in said items.

Provided, Further, That no funds belonging to the counties of the State, now on hand or hereafter accruing to the counties, shall be expended except on approval of a majority of the respective county delegations, including the Senator.

Provided, Further, That no transfer of funds shall be permitted by the State Budget and Control Board from the game and fish revenues to supplement or increase the appropriations provided in this section, it being the intent of the General Assembly that the remainder of the game and fish revenues shall be expended only for the actual protection and propagation of game and fish in the State.

Provided, Further, That any member of the armed forces of the United States, on active duty, who is on furlough or leave, shall, upon presentation of his official furlough or leave papers, be allowed to fish or hunt without purchasing a fishing or hunting license, or permit.

Provided, Further, That any person found mentally and physically qualified may be appointed as a Game Warden.

SECTION 60

Board of Bank Control

Item 1. Board of Bank Control:

A. Personal Service:

A-1. *Salaries*:

Secretary	\$ 4,500.00
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A-3. Special Payments:	
Per Diem of Board	550.00
Official Expense Allowance—	
Chairman	600.00
B. Contractual Services:	
B-2. Travel	1,000.00
Total (Item 1) Board of Bank Control	\$ 6,650.00
Item 2. Examining Division:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Chief Bank Examiner	\$ 10,000.00
Assistant Chief Bank Examiner	7,500.00
Assistant Examiners	49,000.00
Secretary	4,443.00
Stenographer	4,004.00
Stenographer	3,746.00
A-3. Special Payments:	
Clerical Help	1,500.00
B. Contractual Services:	
B-2. Travel	26,500.00
B-3. Telegraph and Telephone ..	1,200.00
B-4. Repairs	300.00
B-5. Printing and Advertising ..	50.00
B-7. Other Contractual Services ..	1,200.00
C. Supplies:	
C-4. Office Supplies	1,250.00
D. Fixed Charges and Contributions:	
D-1. Rents	18.00
D-2. Insurance	137.50
D-3. Contributions	200.00
G. Equipment:	
G-1. Office Equipment	700.00
Total (Item 2) Examining Division	\$ 111,748.50
Item 3. Small Loan Division:	
A. Personal Service:	
A-1. <i>Salaries:</i>	
Director	\$ 9,000.00
Assistant Director	7,500.00

Examiners	26,500.00	
Secretary	4,400.00	
A-3. Special Payments:		
Per Diem of Board	500.00	
Official Expense Allowance—		
Chairman	1,500.00	
Secretary of Board	600.00	
Hearing Fees	1,000.00	
B. Contractual Services:		
B-2. Travel	23,000.00	
B-3. Telegraph and Telephone ..	750.00	
B-4. Repairs	200.00	
B-5. Printing and Advertising ..	1,000.00	
C. Supplies:		
C-4. Office Supplies	3,500.00	
D. Fixed Charges and Contributions:		
D-1. Rents	1,746.00	
D-2. Insurance	60.00	
D-3. Contributions	100.00	
G. Equipment:		
G-1. Office Equipment	1,500.00	
Total (Item 3) Small Loan Division		\$ 82,856.00
TOTAL (Board of Bank Control) ..		\$ 201,254.50

Provided, That the Board of Bank Control shall fix the examination fees of banks, depositories, and building and loan associations on a scale which will yield sufficient revenue to defray the entire expenses of one examination per year for each bank, depository, and building and loan association.

SECTION 61

Public Service Commission

Item 1. For Administration:

A. Personal Service:

A-1. Salaries:

Chairman	\$ 7,920.00
Commissioners (6)	46,200.00
Executive Secretary	6,000.00
Stenographer and Record Clerk	3,240.00
Director of Rate Bureau	8,104.00

Secretary to Rate Bureau	4,529.00	
Director of Communications . .	6,000.00	
Assistant Director	5,850.00	
Stenographer	4,032.00	
Engineer	5,250.00	
Official Reporters (2)	9,534.00	
A-2. Wages	1,940.00	
A-3. Special Payments:		
Gas Investigation	5,000.00	
Expense Allowance—Attorney	1,500.00	
B. Contractual Services:		
B-2. Travel	12,000.00	
B-3. Telegraph and Telephone . .	2,500.00	
B-4. Repairs	100.00	
B-5. Printing and Advertising . .	175.00	
C. Supplies:		
C-4. Office Supplies	2,194.12	
D. Fixed Charges and Contributions:		
D-1. Rents	1,666.67	
D-2. Insurance	305.88	
D-3. Contributions	875.00	
G. Equipment:		
G-1. Office Equipment	200.00	
Total (Item 1) For Administration		\$ 135,115.67
Item 2. Motor Transport Division:		
A. Personal Service:		
A-1. <i>Salaries:</i>		
Director	\$ 7,202.00	
Office Assistant	4,680.00	
Chief Clerk	4,420.00	
Cashier	4,680.00	
Insurance Clerk	3,276.00	
Stenographer	3,822.00	
Steno-Clerk	3,562.00	
Steno-Clerk	3,094.00	
Clerk	2,756.00	
Chief Inspector	4,680.00	
Inspectors	80,444.00	

A-3. Special Payments:

Experts, Investigations and Extra

Clerical Help 700.00

B. Contractual Services:

B-2. Travel 53,400.00

B-3. Telegraph and Telephone .. 1,760.00

B-4. Repairs 200.00

B-6. Water, Heat, Light and
Power 21.00

C. Supplies:

C-4. Office Supplies 4,000.00

C-12. Other Supplies (License
Plates) 1,550.00

D. Fixed Charges and Contributions:

D-1. Rents 1,680.00

D-2. Insurance 879.00

G. Equipment:

G-1. Office Equipment 360.00

Total (Item 2) Motor Transport
Division

\$ 187,166.00

Item 3. Utilities Division:

A. Personal Service:

A-1. *Salaries:*

Director\$ 6,674.00

Assistant Director 6,435.00

Consultant and Valuation En-
gineer 4,200.00

Chief Accountant 5,855.00

Land Appraisal Engineer 3,665.00

Accountant 3,890.00

Accountant 3,665.00

Statistician 3,890.00

Rural Engineer 4,147.00

Field Engineer 4,349.00

Rate Engineer 5,481.00

Valuation Engineer 3,890.00

Electrical Engineer 3,461.00

Record Clerk 3,289.00

Stenographer 2,646.00

Typist 1,573.00

B. Contractual Services:

B-2. Travel 6,000.00

B-3. Telegraph and Telephone .. 600.00

For additional experts, expenses
of witnesses, supplies,
travel and other necessary
expenses 6,000.00

Total (Item 3) Utilities Division .. \$ 79,710.00

TOTAL, (Public Service Commission) \$ 401,991.67

Provided, That the appropriation for Item 3 of this Section shall be assessed against and collected from the electric light and power companies, operating in this State and shall be based upon the gross revenues of said companies from their business done wholly within the State of South Carolina as is set out in Section 58-60 of the Code of Laws of South Carolina, 1952.

Provided, Further, That all public service companies doing business in this State, shall, on or before June 30, 1959, furnish the Comptroller General, in such form as he may require, a statement setting forth the gross income of such public service company for the year ending December 31, 1958.

Provided, Further, That telephone companies are authorized to furnish free telephone service for official business to the Public Service Commission.

Provided, Further, That the Motor Transport Division of the Public Service Commission is hereby authorized to make refunds of fees which were erroneously collected.

Provided, Further, That the Commission, within its discretion, may prorate and adjust any portion or all of the license fees for D, E, and F certificate holders as between vehicles and units of various types.

SECTION 62

South Carolina Aeronautics Commission

Item 1. For Administration:

A. Personal Service:

A-1. *Salaries:*

Director\$ 7,700.00

Assistant Director 5,720.00

Secretary to Commission 3,003.00

Office Manager	4,290.00	
Stenographer	2,688.00	
A-2. Wages:		
Janitor	1,520.00	
A-3. Special Payments	6,500.00	
Total (Item 1) For Administration.		\$ 31,421.00
Item 2. For Regulation, Training and Inspection:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Flight Inspector	\$ 5,005.00	
Educational Director	5,005.00	
Total (Item 2) For Regulation, Training and Inspection..		\$ 10,010.00
Item 3. For Airport Maintenance:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Chief Supervisor	\$ 4,620.00	
Electrician	3,360.00	
Machine Operators	15,510.00	
A-2. Wages:		
Laborers	3,564.00	
Temporary Help	3,000.00	
Total (Item 3) For Airport Maintenance		\$ 30,054.00
Item 4. For Equipment Maintenance:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Shop Foreman	\$ 3,890.00	
Mechanic	3,360.00	
Total (Item 4) For Equipment Maintenance		\$ 7,250.00
Item 5. For Operation:		
B. Contractual Services:		
B-2. Travel	\$ 7,500.00	
B-3. Telegraph and Telephone..	2,700.00	

B-4. Repairs	7,000.00	
B-5. Printing and Advertising ..	1,000.00	
B-6. Water, Heat, Light and Power	6,500.00	
B-7. Other Contractual Services.	8,500.00	
C. Supplies:		
C-4. Office Supplies	2,300.00	
C-8. Motor Vehicle Supplies	4,000.00	
C-11. Other Supplies	1,000.00	
D. Fixed Charges and Contributions:		
D-1. Rents	50.00	
D-2. Insurance	5,500.00	
D-3. Contributions	150.00	
G. Equipment:		
G-1. Office Equipment	500.00	
G-4. Motor Vehicles and Equip- ment	2,000.00	
Total (Item 5) For Operation.....		\$ 48,700.00
Item 6. Maintenance and Improve- ments of Airports		\$ 25,000.00
Item 7. Special Maintenance Fund for State System Airports:		
A. Personal Service:		
A-1. <i>Salaries</i> :		
Resident Maintenance Super- visors		\$ 12,673.00
TOTAL (South Carolina Aeronautics Commission)		\$ 165,108.00

Provided, That the funds appropriated in Item 6 of this section shall be used only to maintain existing facilities in the State Airports System.

SECTION 63

State Development Board

For Administration:

 A-1. *Salaries*:

Director	\$ 15,600.00
Assistant Director	10,000.00
Secretary	4,500.00

Assistant Secretary	3,190.00
Industrial Agent	7,500.00
Public Relations Assistant	3,190.00
Supply Room Clerk	2,100.00
Chief of Research and Field Man	8,500.00
Clerk-Statistician, Research Di- vision	3,718.00
Clerk-Steno, Planning Division	3,190.00
Secretary, Development Divi- sion	3,190.00
Geological Services	24,000.00
Field Men	60,000.00
A-3. Special Payments:	
Board Members (5)	500.00
Clerical Help	1,000.00
B. Contractual Services:	
B-1. Freight, Express and De- liveries	500.00
B-2. Travel and Promotional Ac- tivities	15,000.00
B-3. Telegraph and Telephone ..	4,500.00
B-4. Repairs	1,000.00
B-5. Printing, Binding and Ad- vertising:	
Industrial	115,000.00
Tourist	60,000.00
B-7. Other Contractual Services.	27,350.00
C. Supplies:	
C-4. Office Supplies	6,500.00
C-7. Educational Supplies	800.00
C-8. Motor Vehicle Supplies	3,000.00
C-12. Other Supplies	150.00
D. Fixed Charges and Contributions:	
D-1. Rents	300.00
D-2. Insurance	950.00
D-3. Contributions	30.00

G. Equipment:

G-1. Office Equipment	2,000.00
For Purchase of Airplane	50,000.00
Additional Operating Expenses	100,000.00

TOTAL (State Development Board) \$ 537,258.00

Provided, That the expenditure of all or any part of the appropriation provided in this section for "Additional Operating Expenses" shall be subject to the approval of the State Budget and Control Board.

SECTION 64

Civil Defense Agency

For Administration \$ 40,000.00

SECTION 65

Miscellaneous Appropriations

Item 2. To the Workmen's Compensation Fund to cover Compensation Insurance for State employees	\$ 100,000.00
Item 3. Woodrow Wilson Home—Maintenance Repairs	650.00
Item 5. Rocky Bottom Camp	2,400.00
Item 6. Regional Education Board: Scholarships	260,500.00
Administration	4,100.00
Item 7. Atlantic States Marine Fisheries Commission Dues ...	900.00
Item 10. South Carolina School Committee	25,000.00
Item 11. Alcoholic Rehabilitation Center	20,000.00
Item 13. Judicial Council	1,500.00
Item 14. Committee to Study the Use of Television in the Public Schools, and the Feasibility of Operating a Pilot School	100,000.00
Item 16. Poet Laureate	600.00
Item 17. Confederate War Centennial Commission	15,000.00

Item 18. Committee to study peaceful uses of Atomic Energy, the control of the air and water pollution, and the use of radio-active materials	4,500.00
Item 19. Tax Study Commission	15,000.00

TOTAL (Miscellaneous Appropria- tions)	\$ 550,150.00
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Provided, That warrants for the disbursement of the appropriation in Item 7 of this section shall be approved by the Executive Committeeman from South Carolina.

Provided, Further, That of the amount appropriated in Item 6 of this section whatever amount may be necessary and available may be used by the State Board for paying the actual difference between State and Out-of-State tuition fees for non-contract students, not to exceed, however, the sum of \$350.00 for any medical or dental student, nor the sum of \$300.00 for any student of veterinary medicine. *Provided Further*, That when any such non-contract student is approved by the State Board the payment provided herein shall be made directly to the institution or school involved for the account of such student.

Provided, Further, That out of the amount appropriated in Item 6 of this Section for scholarships, a sum not in excess of \$60,000.00, may be used by the South Carolina Regional Education Board to provide scholarships at out-of-State institutions, in courses not available at the South Carolina State College, but which are available at other State Institutions of Higher Learning which applicants for such scholarships are legally ineligible to attend. The amount of such scholarships shall not exceed the difference between the tuition charge at the South Carolina State College and the tuition fee charged by such out-of-State Institutions.

SECTION 66

Contributions

Item 1. Association of the Blind	\$ 25,000.00
Item 2. Confederate Museum	100.00
Item 3. Spanish War Veterans	1,000.00
Item 4. Council State Governments . .	7,500.00
Item 5. Carolina Orphan Home	25,000.00

Item 6. Oakley Park Red Shirt Shrine	1,000.00
Item 7. Commission on Uniform State Laws	850.00
Item 8. The Florence Crittenten Home (Charleston)	4,500.00
Item 9. Civil Air Patrol	15,000.00
TOTAL (Contributions)	\$ 79,950.00

SECTION 67

Aid to Subdivisions

Item 1. Aid to Counties:

Income Tax	\$ 3,525,000.00
Alcoholic Liquors Tax	1,640,000.00
Beer and Wine Tax	411,600.00
Insurance Tax	1,200,000.00
Bank Tax	195,000.00
Gasoline Tax	6,750,000.00

Total (Item 1) Aid to Counties ... \$13,721,600.00

Item 2. Aid to Municipalities:

Alcoholic Liquors Tax	\$ 1,230,000.00
Beer and Wine Tax	470,400.00
Insurance Tax	150,000.00
Bank Tax	97,500.00
Motor Transport Fees	615,000.00

Total (Item 2) Aid to Municipalities \$ 2,562,900.00

TOTAL (Aid to Subdivisions) **\$16,284,500.00**

Provided, That the above revenues shall be deposited in the General Fund of the State, and notwithstanding the amounts appropriated in the various items of this section, shall be allocated and paid to the Counties and Municipalities of the State in conformity with the percentages or proportions of such revenues prescribed by law.

SECTION 68

State Highway Department

For Operation, Maintenance and Construction

\$48,857,000.00

Provided, That the State Highway Department is hereby authorized to spend all cash balances brought forward from the previous year and all income including Federal Funds and proceeds from bond sales accruing to the State Highway Department, but in no case shall the expenditures of the State Highway Department exceed the amount of cash balances brought forward from the preceding year plus the amount of all income including Federal Funds and proceeds from bond sales.

Provided, Further, That the State Highway Department, with the approval of the State Treasurer, is hereby authorized to set up with the State Treasurer such special funds out of State Highway funds as may be deemed advisable for proper accounting purposes.

Provided, Further, That the State Highway Department is hereby authorized to provide reasonable aid or assistance to its regular employees in moving their personal effects from one town or place to another town or place where their headquarters are so moved in the course of the business of the Department.

Provided, Further, That the State Highway Department is hereby authorized to secure bonds and insurance covering such activities of the Department as may be deemed proper and advisable, due consideration being given to the security offered and the service of claims.

Provided, Further, That the State Highway Department is hereby authorized to own and maintain roadside parks adjacent to State highways, provided that no State Highway funds shall be used for the acquisition of lands for such roadside parks, and *Provided, Further*, That this authorization shall not serve to broaden the liability of the State Highway Department for damages to persons or property to include any damages which may be suffered by any person, firm or corporation, occurring within such roadside parks or by reason of the ownership and maintenance of same by the State Highway Department.

Provided, Further, That the State Highway Department may set aside and deposit in its name the sum of three hundred fifty thousand dollars as a revolving fund, and all payments from such fund shall be restored to the fund by vouchers drawn on the Comptroller General against the State Highway fund.

Provided, Further, That the State Highway Department is authorized to pay the cost of lighting the Gervais Street Bridge, between Columbia and West Columbia.

Provided, Further, That the State Highway Department is hereby authorized to charge a fee of thirty cents postage for every vehicle license mailed to the owner.

Provided, Further, That any wartime disabled veteran who is entitled to compensation for the loss, or loss of use of, one or both legs and is also entitled to a special monthly statutory award by reason thereof may make application for registration and license of his personal motor vehicle to the Department without accompanying such application with the usual fee for registration and license of a vehicle of similar type. The Department shall issue license plates upon the receipt of such application made under oath and in such form as may be required.

Provided, Further, That employees of the State Highway Department shall receive a wage of not less than \$1.00 per hour.

Provided, Further, That the Highway Department shall pay into the General Fund of the State the sum of \$242,000.00 as its proportionate share of the cost of administration of the following departments:

State Treasurer's Office	\$ 20,000.00
Comptroller General's Office	24,000.00
Attorney General's Office	75,000.00
State Budget and Control Board:	
Purchasing Division	20,000.00
State Tax Commission:	
Collection of Highway Revenue	103,000.00
Total	\$ 242,000.00

SECTION 69

Recapitulation

Maintenance and Operation:

Section 3. Legislative Department	\$ 571,988.00
Section 4. Judicial Department	606,854.50

Executive and Administrative Division

Section 5. Governor's Office	572,659.50
Section 6. Lieutenant Governor's Office	1,500.00
Section 7. Secretary of State	35,784.35
Section 8. Comptroller General	603,326.00
Section 9. Attorney General	137,856.50
Section 10. State Treasurer	1,914,280.36
Section 11. Adjutant General	179,898.00

Educational Division

Section 12.	University of South Carolina	3,152,849.00
Section 13.	The Citadel	1,535,250.00
Section 14.	Clemson College (Collegiate Activities) .	2,862,434.00
Section 15.	Winthrop College	1,244,919.00
Section 16.	State Medical College	2,488,828.00
Section 17.	S. C. State College	1,293,032.00
Section 18.	John de la Howe School	190,890.00
Section 19.	School for the Deaf and the Blind	492,889.00
Section 20.	State Superintendent of Education	59,659,075.00
Section 21.	South Carolina Opportunity School	157,500.00
Section 22.	State Agency of Vocational Rehabilitation	305,000.00
Section 23.	State Educational Finance Commission .	19,972,633.50
Section 24.	State Library Board	104,572.00
Section 25.	State Schoolbook Commission	63,597.00
Section 26.	Archives Department	82,185.00
Section 27.	State Library	10,502.00
Section 28.	Confederate Relic Room	3,385.00

Correctional and Welfare Division

Section 29.	Department of Public Welfare	7,845,000.00
Section 30.	S. C. Mental Health Commission	203,636.57
Section 31.	State Hospital	6,053,493.50
Section 32.	Pineland Training School	382,000.00
Section 33.	Whitten Village	1,935,336.00
Section 34.	South Carolina Sanatorium	1,216,200.00
Section 35.	Children's Bureau	90,167.00
Section 36.	Probation, Parole and Pardon Board ...	285,487.00
Section 37.	State Penitentiary	1,100,020.00
Section 38.	State Industrial Schools' Board	32,230.00
Section 39.	Industrial School for Boys	278,012.00
Section 40.	Industrial School for Girls	119,690.00
Section 41.	John G. Richards Industrial School	164,530.00
Section 42.	Industrial School for Negro Girls	77,532.00
Section 43.	State Budget and Control Board	10,356,269.00

Regulatory Division

Section 44.	Board of Health	\$ 2,506,769.00
Section 45.	Water Pollution Control Authority	75,691.00
Section 46.	State Dairy Commission	69,620.00
Section 47.	Tax Commission	3,022,964.94
Section 48.	Insurance Commissioner	197,398.00

Section 49.	Contractors' Licensing Board	26,660.00
Section 50.	State Service Bureau	279,179.00
Section 51.	Department of Agriculture	543,506.00
Section 52.	State Agricultural Marketing Commission	46,452.00
Section 53.	State Forestry Commission	2,026,791.00
Section 54.	Clemson College (Public Service Activities)	1,979,337.00
Section 55.	State Soil Conservation Committee	24,100.00
Section 56.	Department of Labor	169,836.00
Section 58.	Industrial Commission	251,278.00
Section 59.	Wildlife Resources Department	233,539.00
Section 60.	Board of Bank Control	201,254.50
Section 61.	Public Service Commission	401,991.67
Section 62.	Aeronautics Commission	165,108.00
Section 63.	State Development Board	537,258.00
Section 64.	Civil Defense Agency	40,000.00

Miscellaneous Division

Section 65.	Miscellaneous Appropriations	550,150.00
Section 66.	Contributions Division	79,950.00
Section 67.	Aid to Subdivisions	16,284,500.00

Total General Fund\$158,096,623.89

Section 68. Highway Department 48,857,000.00

GRAND TOTAL\$206,953,623.89

SECTION 70. The expenditure of moneys appropriated in this Act shall be by warrant requisitions directed to the Comptroller General. Upon receipt of the requisition, accompanied by invoices or other satisfactory evidence of the propriety of the payment, and itemized according to standard budget classifications, the Comptroller General shall issue his warrant on the State Treasurer to the payee designated in the requisition. *Provided, However,* That, upon approval and designation by the State Budget and Control Board, state institutions may requisition funds in favor of their own treasurer, itemized only to the extent of the purpose of the appropriation as expressed in this Act, and may deposit such funds in the name of the institution, and disburse same by check to meet the purposes of the appropriation, but strict account shall be kept of all such expenditures according to standard budget classifications.

SECTION 71. Upon the approval and designation of the State Budget and Control Board, state institutions may, at the beginning of the fiscal year, requisition from their respective appropriations, a sum of money, the amount of same to be approved by the State Budget and Control Board, to be used throughout the year as a revolving fund for the handling of payrolls and other necessary operating expenses, all payments from such revolving funds to be reimbursed to them by regular requisitions on the Comptroller General.

Provided, Further, That at all state institutions where institutional revenue is available for operation, such revenue shall, as far as practicable, be used before appropriations from the State's General Fund are requisitioned; and no funds shall be requisitioned from such appropriation except to meet actual operating obligations of the year for which such appropriations are provided.

SECTION 72. During the fiscal year 1959-60 the State's institutions of higher learning shall maintain rates not less than those charged during the year 1958-59 for tuition, maintenance, and all other costs heretofore borne by those attending the said institutions, except the student activity fee, the amount of which may be fixed by the respective boards of trustees, and in all cases it is hereby required that such institutions shall charge a fee which will fully cover all subsistence, laundry, infirmary treatment, and such other personal expenses. *Provided, Further,* That the University of South Carolina, The Citadel, Clemson College, Winthrop College, S. C. State College, the South Carolina Medical College (including revenue of the Medical College Hospital), and the South Carolina Opportunity School shall remit all revenues and income, collected at the respective institutions, to the State Treasurer according to the terms of Section 1 of this Act, but all such revenues or income so collected, except fees received as regular term tuition, matriculation, and registration, shall be carried in a special continuing account by the State Treasurer, to the credit of the respective institutions, and may be requisitioned by said institutions, in the manner prescribed in Section 70 of this Act, and expended to fulfill the purpose for which such fees or income were levied; and it is further required that no such fee or income shall be charged in an amount in excess of what is necessary to supply the service, or fulfill the purpose for which such fee or income was charged. *Provided, Further,* That money derived wholly from athletic or other student contests, and any other funds derived wholly from the activities of student organizations, shall not be considered as

State funds, and may be retained at the institutions. *Provided, Further,* That the University of South Carolina may operate its Law School in the summer of 1959, both summer school and summer term, as it may be advised, and retain all additional tuition and other fees charged the law students therefor to aid it in such operation.

SECTION 73. All departments, institutions, and agencies of the State are hereby required and directed to budget and allocate the appropriations herein made to them, so as to provide for operation on uniform standards throughout the fiscal year 1959-60, and in order to avoid a deficiency in such appropriations, and upon request of the Budget and Control Board to submit to the Board its budget or plan of operation for the year, and the said Board is authorized to restrict the rate of expenditures of such agency if it appears that an unjustifiable deficit is likely to occur. *Provided, Further,* That the bonds of State officials violating the terms of this section shall be held liable therefor, unless the State Budget and Control Board has been advised of, and officially recognizes, the necessity for such deficit.

SECTION 74. Each department, institution, or other agency of the State is authorized to accept and receive such Federal Aid or grants as are or may be made available by the Federal Government for use in carrying out the purposes and functions of the department, institution or agency, but such funds when and as received, shall be deposited in the state treasury, if not in conflict with Federal regulations, and withdrawn therefrom as needed, in the same manner as that provided for the disbursement of state funds. *Provided,* That any such Federal aid or grant must be approved by the State Budget and Control Board before being accepted by such department, institution or other agency. *Provided, Further,* That donations or contributions from sources other than the Federal Government, for use by any state agency, shall be deposited in the state treasury, but in special accounts, and shall be withdrawn from the treasury as needed to fulfill the purposes and conditions of the said donations, or contributions, if specified, and, if not specified, as may be directed by the proper authorities of the department or institution.

SECTION 75. Except as otherwise provided in this Act, every appropriation under the classification of A-1 Salaries for a designated position shall be paid in monthly or bi-weekly installments to the person holding such position, but where a group appropriation is made for Personal Service, such appropriation shall be expended as

may be determined by the officer in charge of such appropriation. *Provided, Further,* That the appropriated salaries for specified positions shall mean the maximum compensation for such position, and in any case where the head of any department can secure the services for a particular position or work at a lower rate than the salary specified in this Act, authority for so doing is hereby given.

Provided, Further, That no full-time employee of any State department or institution shall be paid any compensation or travel from any other department of the State Government except with the approval of the State Budget and Control Board.

SECTION 76. That salaries paid to officers and employees of the State, including its several boards, commissions and institutions, shall be in full for all services rendered, and no perquisites of office or of employment shall be allowed in addition thereto, but such perquisites, commodities, services or other benefits shall be charged for at the prevailing local value and without the purpose or effect of increasing the compensation of said officer or employee; *Provided, However,* That this shall not apply to the Governor's Mansion, nor to guards at any of the State's penal institutions and nurses and attendants at the State Hospital, State Training School, and the S. C. Sanatorium, when the cash compensation of such employees is less than \$2,640.00 per year. *Provided, Further,* That the Presidents of the State's institutions of higher learning may be permitted to occupy a residence on the grounds of such institutions without charge. *Provided, Further,* That the Farm Director, Farm Managers and specialists employed at State Farms Nos. 1 and 3 may be permitted to occupy residences situated on such farms without charge.

Provided, Further, That all salaries paid by State institutions and departments for which a lump sum appropriation is made, and from all departmental appropriations for groups of employees, shall be submitted to and approved by the State Budget and Control Board before becoming effective; and in submitting said salaries for approval of the said Board, the total salary paid to each officer and employee, included in such lump sum or group appropriations, shall be shown; and in any institution or department where one or more salaries are supplemented, the amount of such supplement shall be reported to the said Board for approval, and the source of such supplement.

SECTION 77. That the authorities of all institutions and departments for which a lump sum appropriation is made shall make an itemized report to the State Budget and Control Board of all expen-

ditures at such intervals as may be required by said Board. *Provided, Further,* That no part of such lump sum appropriations shall be used for permanent improvements unless specifically authorized herein.

SECTION 78. That except as otherwise hereinbefore provided the base pay of legislative clerks and attaches, designated in Section 3 of this Act, shall apply to a session of forty legislative days, and that each Clerk and attache shall receive additional compensation for such service at the same rate for each legislative day in excess thereof, the same to be paid from the approved accounts of the respective houses. *Provided, however,* That laborers and porters shall be paid for six days of each week of the entire session. *Provided, further,* That the salary appropriated under Sec. 3, Item 1, Secretary (Between sessions), and all salaries under Items 5 and 6 shall apply to a period of six months between sessions of the General Assembly, and each Clerk and attache provided for therein shall be paid at the same rate from approved accounts of the respective houses for any period in excess thereof. *Provided, further,* That no salaries shall be paid under these items during any period when the General Assembly is in regular or special session.

Provided, Further, That for each session of the General Assembly all attaches and/or employees of the General Assembly shall receive as additional compensation an increase of ten per cent over the rate paid for the 1956 session. Such sums shall be paid from the Approved Accounts of the respective Houses, services to both Houses, and the Legislative Council.

SECTION 79. That all employees of the State of South Carolina or any agency thereof while traveling on the business of the State, shall be allowed the sum of \$7.50 per day as subsistence expenses. No expense shall be allowed an employee either at his place of residence or at the official headquarters of the agency by which he is employed. When an employee is assigned to work a particular territory or district, and such territory or district and his official headquarters are in different localities, or sections of the State, expenses may be allowed for necessary travel to his official headquarters. *Provided,* that members of the State Boards, Commissions or Committees, whose duties are not full time, and who are paid on a per diem basis, shall be allowed subsistence expenses while away from their places of residence on official business of the State. *Provided, Further,* that employees of the State traveling outside of the State on official business, shall be allowed the sum of \$10.00 per day as sub-

sistence expenses, except that the Governor, State Treasurer, and Secretary of State shall be allowed actual expenses. Provided further, that each Circuit Judge while holding Court within or without the circuit in which he resides, and each Justice of the Supreme Court, while attending the sessions of said Court at Columbia, shall be allowed the sum of ten (\$10.00) dollars per day as subsistence expenses, and each Justice and Judge shall further receive such mileage allowance for travel as is provided for other employees of the State. *Two members* of the Supreme Court shall be allowed actual subsistence and travel expenses while attending the National Convention of Chief Justices. *Provided, Further,* Whenever Agents, Auditors, Investigators, or other such employees of the State, are required in the performance of their regular audit or investigation duties to travel to cities of two hundred fifty (250,000) thousand, or greater, population, such employees shall be allowed the sum of five (\$5.00) dollars per day additional as subsistence expenses.

That when an employee of the State shall use his or her personal automobile in traveling on necessary official business, a charge of 7 cents per mile will be allowed for the use of such automobile, and the employee shall bear the expense of supplies and upkeep thereof. When such travel is by a state-owned automobile, the State shall bear the expense of supplies and upkeep thereof, but no mileage will be allowed. Provided, that in traveling on the business of the State, employees are required to use the most economical mode of transportation, due consideration being given to urgency, schedules, and like factors.

SECTION 80. That the Legislative members of State boards and commissions shall serve in their respective capacities as members of said boards and commissions until their successors shall have been elected or appointed, and qualified.

SECTION 81. That the per diem allowance of all boards, commissions and committees shall be at the rate of Ten (\$10.00) Dollars per day. *Provided,* that no full-time officer or employee of the State shall draw any per diem allowance for service on such boards, commissions or committees.

SECTION 82. That if necessary the board of trustees of State institutions of higher learning may limit the admission of students upon the basis of scholarship standing, or upon any other basis determined upon by the respective boards. *Provided, Further,* That no

State scholarships shall be granted by State institutions of higher learning, namely: The University of South Carolina, The Citadel, Clemson College, and Winthrop College.

SECTION 83. That members of the armed forces and federal employees stationed in South Carolina shall have the privilege of sending their children to the State educational institutions for the fees charged to citizens of this State; and where such persons are ordered away from the State, the children may continue to have this privilege while they attend the institutions.

Provided, Further, That foreign citizens, friendly to the United States, who are beneficiaries of scholarships to any of the State's institutions of higher learning, which scholarships are provided for by the student body of such institution, or donation from private citizens of South Carolina, shall be allowed to pay tuition at the same rates as residents of the State.

SECTION 84. The Boards of Trustees of the University of South Carolina, The Citadel, Winthrop College, Clemson College, and S. C. State College, are hereby authorized to abate the tuition fee charged at these institutions to the extent of Fifty (\$50.00) Dollars to the winner of the American Legion High School Oratorical Contest and to the Governor of Boys' State and to the highest ranking student in the State in the annual National Science Talent Search and to the Governor of Girls' State; the said abatements to be for four (4) years in each instance. As to the winner of the American Legion High School Oratorical Contest and the Governor of Boys' State, the abatement shall be granted only when the American Legion, Department of South Carolina, shall have contributed a like amount per year. The abatement of tuition herein provided is for the purpose of furnishing a scholarship of One Hundred (\$100.00) Dollars per year to the winners of the above contests, the State of South Carolina and the American Legion, Department of South Carolina, co-operating on an equal basis in providing these scholarships.

SECTION 85. In addition to the powers and duties devolved upon the Budget and Control Board by the 1952 Code of Laws of this State, the said Board is hereby given full power and authority to make surveys, studies, and examinations of departments, institutions, and agencies of this State, as well as its problems, so as to determine whether there may be an overlapping in the performance of the duties of the several departments, institutions, and agencies of the State,

that proper administrative and organizational economy is being observed, and for the purpose of determining whether a proper system of accounting is maintained in such departments, institutions, commissions, and agencies, and to require and enforce the adoption of such policies as are deemed necessary to accomplish these purposes; and to survey, appraise, examine and inspect, and determine the true condition of all property of the State, and what may be necessary to protect it against fire hazard or deterioration, and to conserve its use for State purposes, and to make and issue and to enforce all necessary, needful, and convenient rules and regulations for the enforcement of this provision and to approve the destruction or disposal of records of no value to the State. *Provided, Further,* That the State Budget and Control Board may require that all plans and specifications for permanent improvements of any nature by any state department or institution shall be submitted to the said Board for approval prior to the awarding of any contract therefor, or prior to construction by any other means. *Provided, Further,* That the State Budget and Control Board shall have the authority to designate State officials and employees who should be bonded, and the amounts for which such bonds should be written, and to require the same to be done.

SECTION 86. Any maintenance appropriations made herein or by special act now or hereafter, are hereby declared to be maximum, conditional and proportionate, the purpose being to make them payable in full in the amount named herein, if necessary, but only in the event the aggregate revenues available during the period for which the appropriation is made are sufficient to pay them in full. The State Budget and Control Board shall have full power and authority to survey the progress of the collection of revenue and the expenditure of funds by all departments and institutions, and is hereby authorized and directed to make such reductions of appropriations as may be necessary to prevent a deficit; *Provided,* That no institution or activity for which the General Assembly has herein provided shall be discontinued. *Provided, Further,* That any reduction of appropriations by the said Board, under authority of this Act, shall be uniform, and shall apply to all appropriations provided in this Act, except any part of such appropriations which may be encumbered by a written contract with an agency not connected with the State Government; and *Provided, Further,* That in making such reductions earmarked revenues shall be considered as a part of the amounts appropriated. *Provided, Further,* That no such reduction shall be ordered by the

State Budget and Control Board while the General Assembly is in session, without first reporting such necessity to the General Assembly.

Provided, Further, That the State Budget and Control Board is hereby authorized to borrow such amounts of money as may be necessary to pay appropriations made by the General Assembly, and to pledge for the payment of such loans any General Fund assets, including revenues of the next succeeding fiscal year.

Provided, Further, That the expenditure of funds, heretofore or hereafter provided, by any State Agency, except the State Highway Department, for permanent improvements, shall be subject to approval and regulations of the State Budget and Control Board. The Board shall have authority to allot to specific projects from funds made available for such purposes, such amounts as are estimated to cover the respective costs of such projects, to declare the completion of any such project, and to dispose, according to law, of any unexpended balances of allotments, or appropriations, or funds otherwise provided for such projects, upon the completion thereof.

SECTION 87. That transfers of appropriations herein provided may be made within departments, upon the unanimous approval of the State Budget and Control Board, but no such transfer shall be permitted for the purpose of increasing the compensation of any State employee which is specifically fixed in this Act.

SECTION 88. That unless specifically authorized herein, the appropriations provided in this Act as ordinary operating expenses of the State Government shall lapse on August 31, 1960. *Provided,* That appropriations for permanent improvements, or for other specific purposes aside from ordinary operating expenses, now outstanding or hereafter provided, shall lapse at the end of the second fiscal year following the close of the fiscal year in which such appropriations were provided, unless definite commitments shall have been made, with the approval of the State Budget and Control Board, toward the accomplishment of the purposes for which the appropriations were provided.

SECTION 89

Public Service Authority—Pay General Fund

During the fiscal year 1959-60, the South Carolina Public Service Authority shall pay to the General Fund of the State the sum of at least two hundred thousand (\$200,000.00) dollars.

SECTION 90**Beer and Wine Excise Tax**

SUBSECTION A. In addition to any and all other taxes or licenses, there shall be levied and collected on all beer offered for sale in this State an additional tax of seven and one-half ($7\frac{1}{2}\phi$) cents per gallon or fractional quantity thereof, and on all wines offered for sale in this State an additional tax of eighteen (18ϕ) cents per gallon or fraction thereof.

If beer be offered for sale in bottles or cans, there shall be levied and collected an additional tax at the rate of one-half ($\frac{1}{2}$) cent for each seven (7) ounces or fraction thereof, and on wines offered for sale in quantities less than one (1) gallon, there shall be levied and collected a tax of one and two-tenths (1.2ϕ) cents for each eight (8) ounces or fraction thereof.

SUBSECTION B. The additional taxes imposed by Subsection A of this Section shall be levied against and collected from the wholesaler, importer, or any other person first offering such beer or wine for sale within this State. The wholesaler, importer, or other person offering said beer or wine for sale in this State shall make a report to the South Carolina Tax Commission in such form as the Commission may prescribe and shall pay the tax due thereon not later than the twentieth (20th) day of the month following the sale of the beer or wine.

Any wholesaler, importer, or other person first offering beer or wine for sale in this State who fails to file the report or to pay the tax hereby imposed, on or before the twentieth (20th) day of the month following the sale of beer or wine, shall pay a penalty of not less than twenty (\$20.00) dollars nor more than one thousand (\$1,000.00) dollars, to be assessed and collected by the South Carolina Tax Commission in the same manner and with like effect as other taxes are collected.

SUBSECTION C. All the applicable provisions of Title 4, Chapters 1, 2 and 4 and Title 65, Chapters 1 and 10 of the Code of Laws for South Carolina for 1952, as amended, shall apply with full force and effect for the collection and enforcement of the additional taxes imposed by this Section.

SUBSECTION D. *Provided*, that as a condition precedent all manufacturers or brewers offering malt beverages for sale and/or shipment into the State of South Carolina must first file an affidavit with the South Carolina Tax Commission on January 1 and July 1

of each calendar year setting forth that the price to the wholesaler or wholesalers licensed to do business in this State to which it sells its named brand or brands does not exceed the existing lowest platform price to any wholesaler or wholesalers in any other State excluding only the crown tax and any crown tax discount. Any manufacturer or brewer who sells its product in violation of this provision shall forfeit its privilege of purchasing or using any Beer or Wine License Tax Crowns or Lids. The Tax Commission shall promulgate rules and regulations for the enforcement of this provision.

SUBSECTION E. All manufacturers, brewers, brewer sales representatives, brokers, or any person or firms whatsoever offering malt beverage for shipment into the State of South Carolina shall notify in writing the South Carolina Tax Commission and the wholesale dealer affected at least ninety (90) days previous to any change made by them, either in their distributors or the territories of their distributors in the State of South Carolina. Wholesale dealers shall notify in writing the South Carolina Tax Commission and the shipping brewer affected at least ninety (90) days previous to any change in either the territory or the distribution of their products.

All manufacturers, brewers, brewer sales representatives, brokers, or any person or firms whatsoever who sells its product in violation of this provision shall forfeit its privilege of purchasing or using any Beer or Wine License Tax Crowns or Lids. The Tax Commission shall promulgate rules and regulations for the enforcement of this provision.

SUBSECTION F. Notwithstanding the provisions of Section 65-740, of the Code of Laws for South Carolina for 1952, as amended, the additional taxes or penalties imposed by this Section shall not be shared with cities and municipalities or counties.

SUBSECTION G. This Section shall be effective on July 1, 1959, and until June 30, 1960, inclusive.

SECTION 91

Building and Loan Associations

SUBSECTION A. For the purpose of this section, the words "association" or "associations" shall include building and loan associations, savings and loan associations, Federal savings and loan associations, and cooperative banks, organized under the laws of this or any other State or the United States. Such banks as are taxable under the provisions of the Bank Tax, Sections 65-401—65-406, inclusive, Code of Laws, 1952, as amended, are not included.

SUBSECTION B. Every association located or doing business within South Carolina shall pay an income tax measured by the net income from all sources, except for income from municipal, state or Federal bonds or securities exempted by law from such tax, the said tax to be equivalent to eight percent (8%) of the amount of the net income. In computing net income as herein used and defined, the term shall mean income after deducting all operating expenses, deductions allowed to other corporations, all earnings paid to holders of savings and/or investment accounts, and any additions to reserves which are required by law, regulation, or direction of appropriate supervisory agencies; *Provided, however*, that no deductions from income shall be allowed for any additions to undivided profits or surplus accounts other than herein required; and *Provided, further*, that for the purposes of this Act, a state organized association shall be allowed the same deductions for reserves if actually set aside as those allowed to Federally organized associations.

SUBSECTION C. The income tax provided in this section shall be in lieu of any and all other taxes on such associations, except use taxes and taxes on real property. The real property of any such association shall be taxed in the place where it may be located, the same as the real property of individuals.

SUBSECTION D. For the purpose of administration, enforcement, collection, liens, penalties, and other similar provisions, all of the provisions of the Income Tax Act of 1926, as amended, that may be appropriate or applicable, are adopted and made a part of this section.

SUBSECTION E. The income tax imposed by this section shall be administered by the South Carolina Tax Commission. The Tax Commission is hereby authorized and directed to make such rules and regulations not inconsistent with law as may be required for the proper administration and enforcement of this section, and such rules and regulations shall have full force and effect of law.

SUBSECTION F. Returns with respect to the income tax herein imposed shall be in such form as the South Carolina Tax Commission may prescribe. Returns shall be filed with the South Carolina Tax Commission on or before the fifteenth (15th) day of the third (3rd) month following the close of the accounting period of the association.

SUBSECTION G. The income tax imposed by this section shall be paid in full to South Carolina Tax Commission at the same time the return is filed.

SUBSECTION H. All monies collected by South Carolina Tax Commission under the provisions of this section shall be deposited with the State Treasurer to the credit of the General Fund.

SUBSECTION I. The terms of this section shall apply to income earned during accounting periods of such Associations which end on or after July 1, 1959 to and including June 30, 1960. *Provided, However,* That such associations shall be exempt from the provisions of this section during the first three (3) years of their operation. *Provided, Further,* That the provisions of this section shall not apply to Employees Credit Unions.

SUBSECTION J. All acts or parts of acts inconsistent with this section are hereby repealed to the extent of such inconsistency.

SUBSECTION K. This section will take effect immediately upon its approval by the Governor.

SECTION 92

Business License Tax—Tobacco Products, Etc.

SUBSECTION A. For the fiscal year commencing July 1, 1959, and ending June 30, 1960, the provisions of Sections 65-702, 65-703, and 65-791, of the South Carolina Code of Laws for 1952, as amended, are hereby suspended and in lieu thereof the following shall be applicable:

“(1) There shall be levied, assessed, collected and paid in respect to the articles containing tobacco enumerated in this Section the following amounts:

“(a) Little Cigars—Upon cigars of all descriptions made of tobacco or any substitute therefor and weighing not more than three (3) pounds per thousand, two (2¢) cents for each ten (10) cigars or fraction thereof;

“(b) Certain Cigars.—Upon cigars of all descriptions made of tobacco or any substitute therefor and weighing more than three (3) pounds per thousand retailing for three and one-third (3 1/3¢) cents each or less, five (\$5.00) dollars per thousand;

“(c) More expensive Cigars.—Upon cigars of all descriptions made of tobacco or any substitute therefor and weighing more than three (3) pounds per thousand retailing for more than three and one-third (3 1/3¢) cents each, sixteen (\$16.00) dollars per thousand;

“(d) Cheroots, stogies, etc.—For the purpose of computing the tax, Cheroots, stogies and similar tobacco products shall be deemed to be cigars;

“(e) Cigarettes.—Upon all cigarettes made of tobacco or any substitute therefor, two and one-half ($2\frac{1}{2}$) mills on each cigarette;

“(f) Snuff and Chewing Tobacco.—Upon snuff and chewing tobacco one (1¢) cent for each two (2) ounces or fractional part thereof;

“(g) Smoking Tobacco.—Upon all smoking tobacco, including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette, upon each package retailing for ten (10¢) cents or less, two (2¢) cents, and upon each package retailing for more than ten (10¢) cents each an additional two (2¢) cents for each (5¢) cents or fractional part thereof of the retail selling price in excess of ten (10¢) cents.

“(2) There shall be levied, assessed, collected and paid in respect to the articles enumerated in this Section the following amounts:

“(a) Shells—Upon all shotgun or other shells, three and twenty-hundredths (\$3.20) dollars per thousand rounds;

“(b) Cartridges.—Upon all cartridges twenty-three (23) caliber or greater, three and twenty-hundredths (\$3.20) dollars per thousand rounds;

“(c) Playing Cards.—Upon all playing cards, eight (8¢) cents on each fifty (50¢) cents or fractional part thereof of the retail selling price, the stamps in all such cases to be affixed to the individual package.

“(3) There shall be levied, assessed, collected and paid upon all malt and malt extracts and substitutes therefor sold within this State a license tax of three (3¢) cents per pound for the privilege of carrying on such business, payment of the tax to be indicated by business license stamps affixed to each individual package or container in which malt or malt extracts or substitutes therefor are usually sold to customers.”

SUBSECTION B. This Section shall take effect at 12:01 a. m., July 1, 1959, and shall remain in effect until twelve (12:00) midnight, June 30, 1960.

PART II**Permanent Provisions****SECTION 1**

Following Sections to be Permanent Laws

It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent laws of the State of South Carolina, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the Code.

SECTION 2

Salaries of Chief Justice and Associate Justices

Section 15-103, Code of Laws 1952, as amended, is hereby amended by striking out all of said section and substituting therefor the following:

“Section 15-103. The Chief Justice shall receive an annual salary of \$15,000.00 and the Associate Justices shall each receive an annual salary of \$14,000.00. They shall not be allowed any fees or perquisites of office, nor shall they hold any other office of trust or profit under the State, the United States, or any other power.”

SECTION 3

Salaries of Circuit Judges

Section 15-212, Code of Laws 1952, as amended is hereby amended by striking out all of said section and substituting therefor the following:

“Section 15-212. All Circuit Judges shall receive an annual salary of \$14,000.00.”

SECTION 4

Coin-Operated Device Licenses

SUBSECTION A. Section 5-660, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following which shall be Section 5-660:

“SECTION 5-660. Every person owning, operating or maintaining any place of business or other place wherein or in connection with which is operated or located any of the machines or devices described below shall apply for and procure from the South Carolina Tax Commission a license for the privilege of operating every such machine and shall pay for such license a tax as indicated in Subdivision (a) for distributors or operators as described in Subdivision (a) and as indi-

cated in Subdivision (b) for persons other than distributors or operators as described in Subdivision (b), twenty-five (\$25.00) dollars for each machine described in subdivision (c), seventy-five (\$75.00) dollars for each machine described in subdivisions (d) and (e). *Provided, however*, that municipalities shall not increase the amounts charged as licenses for the operation of such machines over the maximum amounts allowed before March 28, 1956.

(a) Every person, engaged in the business of operating, maintaining or placing on location anywhere within the State merchandising dispensers in which are kept any article or merchandise to be purchased, or weighing machines, shall be deemed a distributor or operator and shall apply for and procure from the Tax Commission a State-wide license to be known as an annual distributor's or operator's license, and shall pay for such license the following tax:

Distributors or operators of five or more cigarette dispensers or dispensers of other tobacco products	\$ 250.00
Distributors or operators of five or more drink dispensers	150.00
Distributors or operators of five or more food dispensers, other than bulk candy, gum, nuts, and milk dispensers	100.00
Distributors or operators of five or more bulk candy, gum and nuts dispensers	25.00
Distributors or operators of five or more weighing machines	50.00

Any person, operating, maintaining or placing on location fewer than five such machines or dispensers, shall not be considered a distributor or operator for the purpose of this section. Every machine or dispenser placed on location by a licensed operator or distributor, as herein defined, shall have affixed thereto identification showing the name and address of the owner, operator, or distributor. The operator of any machine or dispenser not so identified shall be liable for the license tax levied by Subsection (b).

(b) Every person, operating, maintaining or placing on location any dispenser or machine described in Subsection (a) and not required to procure a distributor's or operator's license under the terms of Subsection (a), shall apply for and obtain from the Tax Commission a State-wide license for each such dispenser or machine, and shall pay therefor an annual tax as follows:

Cigarette dispenser or dispensers of other tobacco products	\$ 10.00
Drink dispensers	10.00
Food or other merchandising dispensers selling other than bulk candy, gum and nuts	10.00
Food dispensers selling only bulk candy, gum, nuts, or milk	.50
Weighing machines	2.50

The applicant for license under Subsection (b) shall, in making application for license, specify the serial number of the dispenser, or dispensers, and of the weighing machine, or machines, proposed to be distributed or operated, together with a description of the merchandise or service offered for sale thereby and such machine or machines. The license shall carry the serial number to correspond with that on the application, and no such license shall under any condition be transferable to any other dispenser or machine. It shall be the duty of the person, in whose place of business the dispenser or machine is operated or located, to see that the proper State license is attached in a conspicuous place on the dispenser or machine before its operation shall commence.

(c) Any machine for the playing of music, games or amusements, without a free play feature, operated by a slot wherein is deposited any coin or thing of value, or

(d) Any machine of the non-payout pin table type with or without free play feature operated by a slot wherein is deposited any coin or thing of value, and

(e) Any machine for the playing of games or amusements, which has a free play feature, operated by a slot wherein is deposited any coin or thing of value."

SUBSECTION B. Section 5-661, of the Code of Laws for South Carolina for 1952, as amended, is hereby repealed.

SUBSECTION C. Section 5-676, of the Code of Laws for South Carolina for 1952, is amended by striking out all of said section and inserting in lieu thereof the following:

"Section 5-676. Additional local licenses. Municipalities and counties may levy a license tax on the business taxed under this article but in no case shall a tax so levied exceed one-half of the amount levied by the State before March 28, 1956."

SUBSECTION D. This Section shall become effective on and after July 1, 1959.

SECTION 5

Admissions Tax

SUBSECTION A. Section 65-801, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 65-801. There shall be levied, assessed, collected, and paid upon all paid admissions, including admission by season ticket or subscription, to any place within this State, other than motion picture theatres, high school or grammar school entertainments, plays, pageants and athletic contests in which the participants are students of such schools and church dinners, a license tax of one cent (1¢) for each ten cents (10¢), or fractional part thereof, paid for such admission. The tax imposed by this Section shall be paid by the person or persons paying such admission price and shall be collected and remitted to the South Carolina Tax Commission by the person or persons collecting such admission price. The Tax imposed by this Section shall not apply to any amount separately stated on the ticket of admission for the repayment of money borrowed for the purpose of constructing an athletic stadium or field by any accredited college or university. The revenue derived from the provisions of this Section from fishing piers along the coast of South Carolina is hereby allocated for use of the Wildlife Resources Commission. The remainder of such revenue shall be deposited with the State Treasurer for General Fund purposes.”

SUBSECTION B. Section 65-802, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 65-802. For the purpose of this Article and unless otherwise required by the context: (1) the word “admission” means the right or privilege to enter into or use a place or location, (2) the word “place” means any definite enclosure or location, (3) the word “person” means individual, partnership, corporation, association, or organization of any kind whatsoever.”

SUBSECTION C. Section 65-811, of the Code of Laws for South Carolina for 1952, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 65-811. Every person charging or receiving admissions and required by Section 65-801, of the Code of Laws for South Carolina for 1952, as amended, to collect and remit the tax imposed by this Article, shall, as a condition precedent to operating such

place or to continuing in the business of operating such place, file a bond executed by a surety company authorized to do business in this state, or post securities, subject to the approval of the State Treasurer, or post a cash bond with the South Carolina Tax Commission in such amount as may be approved by the Commission, conditioned upon the said person making payment of all taxes which may be due under the provisions of this Article. No owner or operator of a place, the paid admissions to which are subject to the tax imposed by Section 65-801, of the Code of Laws for South Carolina for 1952, as amended, shall engage in such business prior to submitting the bond required by this Subsection."

SUBSECTION D. Section 65-817, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

"Section 65-817. As each patron is admitted to a place, the paid admissions to which are subject to the tax imposed by Section 65-801, of the Code of Laws for South Carolina for 1952, as amended, his ticket shall be collected and immediately torn in two parts, approximately through the center, one-half given to the patron and the other half retained by the ticket taker. The provisions of this Subsection shall not apply to season tickets or tickets for a series of admissions issued on account of subscription."

SUBSECTION E. Section 65-822, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

"Section 65-822. Any person who shall fail within thirty (30) days from the date of assessment to pay any taxes and penalties lawfully assessed against him under the provisions of this Article, or who shall fail to tear the tickets as provided in this Article, or in any manner contravene any of the provisions contained in this Article, shall pay a penalty of not less than twenty (\$20.00) dollars, nor more than one hundred (\$100.00) dollars, which penalty shall be assessed and collected by the Tax Commission in the same manner and with like effect as other taxes are assessed and collected. Each failure to tear a ticket shall constitute a separate offense for which this penalty shall be applied and each day during which the place is operated in contravention of the provisions of this Article shall constitute a separate offense for which this penalty shall be applied."

SUBSECTION F. Sections 65-804, 65-812, 65-813, 65-814, 65-816, 65-818, and 65-831 are hereby repealed.

SUBSECTION G. This Section shall take effect on and after July 1, 1959.

SECTION 6

Sales Tax—Electricity—Communications

SUBSECTION A. Section 65-1359, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by adding thereto a new subsection to be designated Subsection (6) :

“(6) Every person engaged in the business of selling electric power or energy, and every person engaged in the business of selling or furnishing the ways or means for the transmission of the voice or of messages between persons in this state for a consideration. Persons engaged in the business of selling or furnishing the ways or means for the transmission of the voice or of messages as used in this subdivision shall not be deemed to be a processor or manufacturer.”

SUBSECTION B. Section 65-1365, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of Section 65-1365 and inserting in lieu thereof the following :

“65-1365. The term “tangible personal property” means personal property which may be seen, weighed, measured, felt or touched or which is in any other manner perceptible to the senses, except notes, bonds, mortgages or other evidences of debt and stocks and shall include rooms, lodgings or accommodations furnished to transients for a consideration.

For the purposes of this Chapter the term “tangible personal property” shall be interchangeable with and apply with equal force and effect to services, accommodations and intangibles including communications, as are specifically provided for in this chapter.”

SUBSECTION C. Article 5, of Chapter 15, of Title 65, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by adding a new section as follows :

“Notwithstanding any other provision of law, the sale or use of electricity is subject to the license, sales, or use tax as provided by this chapter.”

SUBSECTION D. Article 5, of Chapter 15, of Title 65, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by adding a new Section as follows :

“Notwithstanding any other provision of law, the gross proceeds accruing or proceeding from the charges for the ways or means for

the transmission of the voice or of messages, including the charges for use of equipment furnished by the seller or supplier of the ways or means for the transmission of the voice or of messages, is subject to the license, sales or use tax, as provided by this chapter."

SUBSECTION E. Subdivision (10) of Section 65-1404, of the Code of Laws of South Carolina for 1952, as amended, is hereby amended by striking out all of said subdivision and inserting in lieu thereof the following:

"Subdivision (10) The gross proceeds from the toll charges for the transmission of voice or messages between telephone exchanges and telegraph messages and the gross proceeds from the sale of water of the kinds and natures the rates and charges for which, when sold by public utilities, are fixed and determined by the Public Service Commission, and the gross proceeds of the sale of the transportation of tangible personal property."

SUBSECTION F. Subdivision (17) of Section 65-1404, of the Code of Laws of South Carolina for 1952, as amended, is further amended by striking out the semicolon at the end of the Subsection and adding thereto the following: "for use in manufacturing tangible personal property for sale;", so that when so amended it shall read as follows:

"(17) The gross proceeds of the sale of electricity for use in manufacturing tangible personal property for sale."

SUBSECTION G. This Section shall take effect on and after July 1, 1959.

SECTION 7

Sales Tax—Laundries, Etc.

A. Section 1359, of Article 1, of Chapter 15, of Title 65, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by adding a new Subsection as follows:

"Subsection ... Every person engaged in the business of operating a laundry, launderette, cleaning, dyeing, or pressing establishment for a consideration."

B. Article 5, of Chapter 15, of Title 65, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by adding a new Section as follows:

"Notwithstanding any other provision of law, the license, and the sales or use tax imposed by this Chapter shall apply with respect to the gross proceeds accruing or proceeding from the business of

providing or furnishing any laundering, dry cleaning, dyeing or pressing service.”

C. Section 65-1404, Code of Laws of South Carolina, 1952, as amended is further amended by adding thereto a new subsection to be appropriately numbered to read as follows:

“Subsection ——. The gross proceeds of the sale of all supplies and machinery used by laundries, launderettes, cleaning, dyeing or pressing establishments, in the direct performance of their primary function.”

D. This Section shall take effect on and after July 1, 1959.

SECTION 8

Sales Tax—Discounts

SUBSECTION 1. Section 65-1447, Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said section and inserting in lieu thereof the following:

“Section 65-1447. When a return required by Article 3 or Article 4 of this Chapter is filed and the taxes shown due thereon are paid in full on or before the final due date, including any date to which the time for making such return and paying such tax has been extended pursuant to the provisions of Section 65-1446, the taxpayer shall be allowed a discount as follows:

“On taxes shown to be due by the return of less than \$100.00, 3% ; on taxes shown to be due by the return of \$100.00 or more, but less than \$1,000.00, 2% ; on taxes shown to be due by the return of \$1,000.00 or more, 1%. In no case shall any discount be allowed if either the return or the tax thereon is received by the Commission after the date due, or after the expiration of any extension granted by the Commission. The discount permitted a taxpayer under this Section shall not exceed a total of \$5,000.00 during any one fiscal year.”

SUBSECTION 2. This Section shall take effect with respect to sales or use tax returns which become due on or after July 1, 1959.

SECTION 9

Business License Tax—Discounts

SUBSECTION A. Section 65-716, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“Section 65-716. In case of sales of business license stamps made by the Commission to any merchant, wholesale or retail, or manu-

facturer (for his individual use), the Commission shall allow a discount of five percent (5%) on the entire amount of the sale, on all sales of twenty-five (\$25.00) dollars or more."

SUBSECTION B. This Section shall take effect on and after July 1, 1959.

SECTION 10

Income Tax—Deduction for Federal Taxes Eliminated

SUBSECTION A. Subdivision (4), of Section 65-259, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Subsection and inserting in lieu thereof the following:

"(4) Taxes for the income year, except taxes on income, inheritance taxes and taxes assessed for a local benefit of a kind tending to increase the value of the property assessed;"

SUBSECTION B. This Section shall be effective with respect to income earned on and after January 1, 1959.

SECTION 11

Income Tax—Additional Brackets

SUBSECTION A. Section 65-221, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

"Section 65-221. A tax is imposed upon every individual residing in the State, including officers and employees of the State and all subdivisions thereof, which shall be levied, collected and paid annually with respect to the entire net income of the taxpayer, and upon income earned within the jurisdiction of this State of every non-resident having a business or agency in the State or from the sale or rental of or income from property within this State, computed at the following rates, after deducting the exemptions provided by this chapter:

On the excess over the amount legally exempted up to two thousand dollars, two per cent;

On the excess above two thousand dollars and up to four thousand dollars, three per cent;

On the excess above four thousand dollars and up to six thousand dollars, four per cent;

On the excess above six thousand dollars and up to eight thousand dollars, five per cent;

On the excess above eight thousand dollars and up to ten thousand dollars, six per cent;

On the excess above ten thousand dollars, seven per cent.”

SUBSECTION B. The provisions of this Section shall be effective with respect to income earned on and after January 1, 1959.

SECTION 12

Income Tax—Withholding

SUBSECTION A. (1). Every individual and fiduciary except those subject to withholding under Subsection B(1)(b) shall, at the time prescribed in Subsection A(3) of this Section, make a declaration of his estimated tax for the taxable year if his gross income from sources other than wages, as defined in Subsection B(7) of this Section, can reasonably be expected to exceed one thousand (\$1,000.00) dollars for the taxable year.

(2). In the declaration required under this Subsection, the taxpayer shall state (a) the amount which he estimates as the amount of tax due for the taxable year under the provisions of the Income Tax Act of 1926, as amended, (b) the amount which he estimates as credits for taxes withheld by his employer; (c) the excess of the amount estimated under subparagraph (a) over the amount estimated under subparagraph (b) which shall be considered the estimated tax for the taxable year, (d) and such other information as the South Carolina Tax Commission may require.

(3). The declaration required under Subsection A(1) of this Section shall be filed with the South Carolina Tax Commission on or before the fifteenth day of the fourth month following the beginning of the taxable year. If after the fifteenth day of the fourth month following the beginning of the taxable year, a taxpayer reasonably expects to receive income which would require a declaration of estimated tax as provided in Subsection A(1), such taxpayer shall make an estimate on or before the fifteenth day of the sixth month, the fifteenth day of the ninth month, or the fifteenth day of the thirteenth month, as the case may be.

(4). The estimated tax shown to be due by the declaration shall be paid at the time the declaration is filed or may be paid in four equal instalments, the first instalment to be paid at the time of filing the declaration, the second instalment on the fifteenth day of the sixth month after the beginning of the taxable year, the third instalment on the fifteenth day of the ninth month after the beginning of the taxable

year, and the fourth instalment on the fifteenth day of the thirteenth month after the beginning of the taxable year. No interest shall be charged for the payment of instalments of estimated tax herein provided for.

(5). A taxpayer may amend a declaration filed during the taxable year under regulations to be prescribed by the South Carolina Tax Commission.

(6). A taxpayer in lieu of making the instalment payment of estimated tax due on the fifteenth day of the thirteenth month after the beginning of the taxable year, may file a completed return of income and, in that event, shall pay in full the balance of income tax payable over and above the estimated taxes paid and credits for withholding taxes on wages shown in said return. In the event that the completed return, giving due regard to credits for withholding taxes withheld and estimated taxes previously paid, indicates an overpayment of tax, said return shall constitute a claim for refund of the excess. The taxpayer may, at his option, claim credit for any excess payment of estimated tax or taxes withheld against his estimated tax liability for the next succeeding taxable year. No interest shall be paid on refunds of excessive estimates or taxes withheld.

(7). The Tax Commission may allow reasonable extensions of time for the filing of declarations of estimated tax and the payment of said tax. No extensions shall be granted for more than ninety (90) days, except in the case of taxpayers who are outside the continental limits of the United States.

(8). If the taxpayer is unable to make his own declaration, the declaration shall be made by a duly authorized agent or by the guardian or other person charged with the care of the taxpayer or the property of such taxpayer.

(9). The provisions of this Subsection with respect to declarations of estimated tax shall not apply to a taxpayer whose estimated gross income from farming for the taxable year constitutes at least two-thirds of his total estimated gross income from all sources for the taxable year.

(10). A taxpayer who makes a declaration of estimated tax for the taxable year shall estimate an amount not less than eighty percent (80%) of the amount actually due. Should a taxpayer fail to make an estimate on any quarterly due date equivalent to at least eighty percent (80%) of the final tax due, a penalty of five percent (5%) of the tax and interest at the rate of one-half of one percent ($\frac{1}{2}$ of

1%) per month, or fraction thereof, shall be added and paid on the full amount of the under-estimate of the final tax due. The penalty provided by this Subdivision shall not be applicable where the original amount of estimated tax is the same amount shown to be due by the return of the individual for the preceding taxable year where such return showing a liability for tax was filed by the individual for the preceding taxable year of twelve (12) months.

SUBSECTION B. (1). Every person, firm, corporation, association, joint stock company, partnership, fiduciary, or the State of South Carolina, or any political subdivision of the State or any agency or any instrumentality or authority thereof, and any municipality, located within or doing business within the State, having an income within the State or having an employee earning income within this State, or in any manner whatever subject to the jurisdiction of South Carolina, the United States or any political subdivision thereof, or any instrumentality or agency of the United States or any political subdivision thereof, or any other State or political subdivision or instrumentality or agency thereof; (a) making payment of wages at the rate of one thousand (\$1,000.00) dollars per year subject to withholding on and after January 1, 1960, shall deduct and withhold upon such wages an estimated income tax determined in accordance with tables and rules promulgated by the South Carolina Tax Commission; (b) hiring or contracting or having a contract with any nonresident taxpayer conducting a business of a temporary nature carried on within this State, where such contract exceeds ten thousand (\$10,000.00) dollars or could reasonably be expected to exceed ten thousand (\$10,000.00) dollars, shall withhold two percent (2%) of each and every payment made to such nonresidents. The conditions set forth in Subsection B(1)(b) may be waived by the South Carolina Tax Commission, provided the payee shall insure the Tax Commission by bond, secured by an insurance company licensed by the South Carolina Insurance Commission, or deposit of securities subject to approval by the State Treasurer, or cash which shall not bear interest, that the payee will comply with all applicable provisions of the Income Tax Act of 1926, as amended, and with the withholding requirements insofar as his obligation as a withholding agent is concerned.

(2). If wages are paid with respect to a period which is not a payroll period, the amount to be deducted and withheld shall be that amount applicable in the case of a miscellaneous payroll period con-

taining a number of days, including Sundays and holidays, equal to the number of days in the period with respect to which such wages are paid.

(3). In any case in which wages are paid by an employer without regard to any payroll period or other period, the amount to be deducted and withheld shall be that amount applicable in the case of a miscellaneous payroll period containing a number of days equal to the number of days including Sundays and holidays which have elapsed since the date of the last payment of such wages to such employee during the calendar year or the date of commencement of employment of such employee during such year or January 1st of such year, whichever is the later.

(4). In determining the amount to be deducted and withheld under this Section, the wages may at the election of the employer be computed to the nearest dollar.

(5). The Tax Commission may authorize employers (a) to estimate the wages which will be paid to any employee in any quarter of the calendar year; (b) to determine the amount to be deducted and withheld upon each payment of wages to such employee during such quarter as if the appropriate average of the wages so estimated constituted the actual wages paid; and (c) to deduct and withhold upon any payment of wages of such employee during such quarter such amount as may be necessary to adjust the amount actually deducted and withheld upon the wages of such employee during such quarter to the amount that would be required to be deducted and withheld during such quarter if the payroll period of the employee was quarterly.

(6). The Tax Commission is authorized to provide by regulation, under such conditions and to such extent as it deems proper, for withholding in addition to that otherwise required under this Subsection and Subsection C in cases in which the employer and the employee agree to such additional withholding. Such additional withholding shall for all purposes be considered tax required to be deducted and withheld under this Section.

(7). (a). Business of a temporary nature does not include any form of business that constitutes a personal service. (b). "Employees" for the purposes of this Section shall include any resident individual receiving any salary, wages, or compensation in any form whatever for services rendered and shall be applicable to any individual, resident of another State or maintaining a place of abode in another State who has rendered service of any nature in the State of South Caro-

lina. (c). For the purposes of this Section, the term "wages" means all remuneration for services of any nature whatsoever performed by an employee for an employer, and for all services rendered in this State by a nonresident individual, including the cash value of all remuneration paid in any medium other than cash. The term "wages" shall not include remuneration paid to agricultural labor. For the purpose of this Section, the term "agricultural labor" includes all services performed by an employee on a farm in connection with planting, cultivating, and harvesting agricultural or horticultural commodities, including the raising, shearing, feeding, caring for livestock, bees, and poultry. The term "wages" shall not include remuneration paid to a duly ordained, commissioned, or licensed minister of a church on account of services performed in the exercise of his ministry or by members of a religious order on account of services performed in the exercise of duties required by such order.

SUBSECTION C. If payment of wages is made to an employee by an employer :

(1) with respect to a payroll period or other period, any part of which is included in a payroll period or other period with respect to which wages are also paid to such employee by such employer, or

(2) without regard to any payroll period or other period but on or prior to the expiration of a payroll period or other period with respect to which wages are also paid to such employee by such employer, or

(3) with respect to a period beginning in one and ending in another calendar year ; or

(4) through an agent, fiduciary, or other person who also has the control, recent custody, disposal of or pays the wages payable by another employer to such employee,

the manner of withholding and the amount to be deducted and withheld under Subsection B of this Section shall be determined in accordance with rules or regulations promulgated by the South Carolina Tax Commission under which the withholding exemption allowed to the employee in any calendar year shall approximate the withholding exemption allowable with respect to an annual payroll period.

SUBSECTION D.(1). Every employee shall on or before January 1, 1960, or on or before the date of commencement of employment, whichever is later, furnish his employer with a signed with-

holding exemption certificate relating to the number of withholding exemptions which he claims. In no event shall the exemptions claimed exceed the exemptions to which he is entitled.

(2). An employee receiving wages shall on any day be entitled to the following withholding exemptions: (a) an exemption for himself; (b) one additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowed an exemption under Section 65-225(7) as amended by Subsection M of this Section; (c) if the employee is married, any exemption to which his spouse is entitled, or would be entitled if such spouse were an employee receiving wages under this Subsection, but only if such spouse has not filed an exemption certificate claiming such exemption; (d) an exemption for each dependent that qualifies under Section 65-225(3) as amended by Subsection M of this Section.

(3). Withholding exemption certificate shall take effect as of the beginning of the first payroll period ending on the first payment of wages made without regard to a payroll period on or after the date on which such certificate is so furnished. Certificates furnished before January 1, 1960, shall be considered as furnished on that date.

(4). A withholding exemption certificate which takes effect under this Section shall continue in effect with respect to the employer until another such certificate takes effect under this Section. Whenever a change occurs in the exemptions to which an employee is entitled, such employee shall within ten (10) days of the date of such change furnish the employer with a new exemption certificate setting forth the exemptions to which he is entitled.

(5). If an employee fails or neglects to furnish his employer with an exemption certificate, the employer shall withhold the tax with respect to the employee without regard to any exemptions.

(6). If an employee files a false or fraudulent exemption certificate with intent to evade any tax, he shall be liable to a penalty of not less than fifty (\$50.00) dollars for each fraudulent exemption claimed, not to exceed a total of one thousand (\$1,000.00) dollars, such penalty to be assessed and collected in the same manner and with like effect as income taxes provided by the Income Tax Act of 1926.

(7). Withholding exemption certificates shall be in such form and shall contain such information as the South Carolina Tax Commission may prescribe.

SUBSECTION E.(1). Every withholding agent required to deduct and withhold any tax under the provisions of Subsections B

and C of this Section shall for the quarterly period beginning January 1, 1960, and for each quarterly period thereafter, on or before the last day of the month following the close of each quarterly period make a return and pay to the South Carolina Tax Commission the tax required to be withheld under the provisions of Subsections B and C of this Section.

Once a withholding agent has become liable for a quarterly report of withholding, he must continue to file a quarterly report, even though no tax has been withheld, until such time as he notifies the Tax Commission, in writing, that he no longer has employees or that he is no longer liable for such quarterly returns.

Any amount withheld from any taxpayer by a withholding agent shall be a first lien against all property, both real and personal, tangible or intangible, of the withholding agent, which lien shall take precedence over all others, it being specifically intended that the funds withheld by the withholding agent from any taxpayer shall be considered funds held in trust for the State of South Carolina by the withholding agent.

(2). If the South Carolina Tax Commission in any case has reason to believe that the collection of the tax provided for in this Section is in jeopardy, it may require the withholding agent to make such return and pay such tax at any time, in which event Sections 65-343, 65-344, 65-345, 65-346, 65-347, 65-348, and 65-349, of the Code of Laws for South Carolina for 1952, as amended, shall apply with full force and effect.

(3). Every withholding agent who fails or neglects to withhold or pay to the South Carolina Tax Commission any sums required by this Section to be withheld and paid shall be personally and individually liable therefor and any sum or sums withheld in accordance with the provisions of Subsections B and C of this Section shall be deemed to be held in trust for the State of South Carolina.

SUBSECTION F. (1). Every person required to deduct and withhold from a taxpayer, a tax under the provisions of Subsections B and C of this Section, or who would have been required to deduct and withhold a tax under Subsections B and C of this Section if the taxpayer had claimed no more than the exemption of a single individual, shall furnish on or before January 31st of the succeeding year, or if the employment is terminated before the close of such calendar year, on the day on which the last payment of remuneration is made, a written statement, in duplicate, to the taxpayer,

with the original copy to the Tax Commission, with respect to the remuneration paid such taxpayer during the calendar year, showing the following: (a) name and address of such person, (b) the name and address of the taxpayer and his social security account number, if applicable, (c) total amount of wages or payments as defined in Subsection B of this Section, (d) the total amount deducted and withheld as tax under Subsections B and C of this Section.

(2). The statement required to be furnished by this Subsection in respect of any wages or payments, shall be furnished at such other times, and shall contain such other information, and shall be in such form as the Tax Commission may prescribe.

(3). (a). The original copy of the statement required by Subdivision (1) of this Subsection shall be filed with the South Carolina Tax Commission on or before the thirty-first day of January next succeeding the year for which such amounts were withheld under the provisions of this Section. At the same time every withholding agent shall file a recapitulation and reconciliation of taxes withheld and paid in such form as the Tax Commission shall prescribe and also shall remit the tax required to be withheld for the last quarter of the preceding year as provided by Subsection E(1) of this Section.

(b). The copy of the employer's statement required by Subsection F(1) when made and filed as prescribed by the Tax Commission shall constitute compliance to that extent with Section 65-299, of the Code of Laws for South Carolina for 1952, as amended.

(4). The Tax Commission may extend the time within which withholding agents are required to furnish statements under this Section for a period not to exceed thirty (30) days.

SUBSECTION G. A withholding agent shall be liable to the State of South Carolina for the payment of the tax required to be deducted and withheld under Subsections B and C of this Section and shall not be liable to any other extent for the amount of any such payment.

SUBSECTION H. (1). Where there has been an overpayment of tax under the provisions of Subsections B and C of this Section, refund or credit shall be made to the withholding agent only to the extent that the amount of such overpayment was not deducted and withheld by the withholding agent from the employee, and to the employee only to the extent that the amount of such overpayment was deducted and withheld by the withholding agent. Refunds or credits provided by this Subsection shall not bear interest.

(2). Refunds or credits provided for by this Section may be applied for by the taxpayer within one (1) year from the date of the overpayment, but no later.

SUBSECTION I. Where there has been an overpayment of any tax imposed under the provisions of the Income Tax Act of 1926, or Subsections B and C of this Section, the amount of such overpayment shall be credited against any tax, penalty, or interest, or instalment thereof, due by the taxpayer to the State of South Carolina for any period and the excess, if any, shall be refunded or credited as otherwise provided by this Section.

SUBSECTION J. The South Carolina Tax Commission is hereby authorized and directed to make an agreement with the Secretary of the Treasury of the United States with respect to withholding of income tax as provided by this Section, pursuant to Act of Congress, 66 Stat. 765, Ch. 940; Pub. L. 587; 5 USCA Sections 84b, 84c, July 17, 1952, and Executive Order No. 10407, 17 F. R. 10132, November 7, 1952.

SUBSECTION K. Section 65-341, of the Code of Laws for South Carolina for 1952, as amended, shall be void and of no effect with respect to individuals filing returns of income for periods beginning on and after January 1, 1960.

SUBSECTION L. Section 65-299, Code of Laws for South Carolina for 1952, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

Section 65-299. All individuals, corporations, and partnerships, in whatever capacity acting, including lessees and mortgagors of real or personal property, fiduciaries, and employers, making payments to another individual, corporation or partnership, of interest or dividends of one hundred (\$100.00) dollars or more and making payment to another individual, corporation, or partnership, of rent, salaries, wages, commissions, emoluments or other fixed or determinable gains or profits or income at the rate of one thousand (\$1,000.00) dollars or more in any taxable year, except that such payments of personal service compensation on which taxes are required to be withheld and reports of taxes withheld are made with respect to such individual as provided in Subsection F of this Section, shall make a true and accurate return to the South Carolina Tax Commission under such regulations as the Tax Commission may prescribe, setting forth the amount of such gains, profits or income and the name and address of the recipient thereof.

Any taxpayer failing to file the return required by this Section shall be assessed a penalty of not less than five (\$5.00) dollars nor more than one thousand (\$1,000.00) dollars, which penalty shall be assessed and collected in the same manner and with like effect as income taxes provided by the Income Tax Act of 1926, as amended.

SUBSECTION M. Section 65-225, of the Code of Laws of South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and substituting in lieu thereof the following:

"Section 65-225. There shall be deducted from net income the following exemptions:

(1). In the case of a single individual, a personal exemption of one thousand (\$1,000.00) dollars.

(2). In the case of a married individual living with husband or wife, a personal exemption of one thousand (\$1,000.00) dollars for each spouse. Husband and wife, living together, may at their option file separate or joint returns but once the option is exercised, it may not be changed for the taxable period involved. A married person, living with husband or wife, filing a separate return may claim the one thousand (\$1,000.00) dollars personal exemption of the other spouse if that spouse has no gross income and is not the dependent of another person.

(3). In the case of an individual dependent upon and receiving his chief support from another individual, provided that said dependent is under twenty-one years of age or is incapable of self-support because mentally or physically defective or that said dependent is regularly enrolled in an accredited school or college, an exemption of four hundred (\$400.00) dollars to the individual furnishing the dependent's chief support. In the event that a child of the taxpayer is born or has died during the taxpayer's taxable year, the full exemption shall be allowed. No exemption shall be allowed if the dependent receives taxable income in excess of one thousand (\$1,000.00) dollars during the taxable period.

(4). In the case of a head of a household, an exemption of two thousand (\$2,000.00) dollars. The head of a household as used herein shall mean an unmarried individual who has one or more dependents qualified under Subdivision (3) of this Subsection, and the dependent in fact lives in the home of and with said unmarried individual.

(5). In the case of a fiduciary, an exemption of one thousand (\$1,000.00) dollars, except (a) a fiduciary taxable under the pro-

visions of Section 65-223(2) of the Code of Laws for South Carolina for 1952, as amended, the same exemption as would be allowed the deceased if living and (b) a fiduciary taxable under the provisions of Section 65-223(3) of the Code of Laws for South Carolina for 1952, as amended, the same exemptions to which the beneficiary would be entitled, provided that if the income is held in the estate undistributed, the exemption shall be one thousand (\$1,000.00) dollars.

(6). In the case of a nonresident taxpayer or a taxpayer who resides a part of the year within this State, he shall be entitled to that proportion of the exemption granted herein that the adjusted gross income subject to tax in this State bears to the entire adjusted gross income wherever earned.

(7). There shall be allowed an exemption of one thousand (\$1,000.00) dollars in addition to the exemption provided by subdivision (1) of Section 65-225, as amended by this Subsection, if the taxpayer is blind. If the spouse of the taxpayer is blind, such spouse shall be allowed an exemption of one thousand (\$1,000.00) dollars in addition to the exemption provided by subdivision (2) of Section 65-225, as amended by this Subsection. The condition of the individual on the last day of the taxable year shall determine whether the individual is blind. Should the spouse die during the taxable year, the condition of the spouse on the date of death shall determine whether the spouse is blind. For purposes of this Subsection, a blind person is defined as an individual whose central visual acuity does not exceed 20/200 in the better eye with correcting lenses or his visual acuity is greater than 20/200 but is accompanied by a limitation in the fields of vision such that the highest diameter of the visual field subtends an angle no greater than twenty degrees."

SUBSECTION N. Section 65-291 of the Code of Laws of South Carolina for 1952, as amended, is hereby amended by striking out all of said Section and substituting in lieu thereof the following:

"Section 65-291. Every resident or nonresident having a gross income during the income year taxable in this state of one thousand (\$1,000.00) dollars and over, and every corporation except those specifically exempted shall make a return stating specifically the items of gross income and the deductions and exemptions allowed by this chapter and such other facts as the Commission may require for the purpose of making any computation required by this chapter. When the Commission has reason to believe that any person or corporation

is liable for tax under this chapter it may require any such person or corporation to make a return.”

SUBSECTION O. Sections 65-225 and 65-291, amended by this Section, shall remain in full force and effect with respect to income tax returns for periods ending on or before December 31, 1959.

SUBSECTION P. (1). Any person required by the Income Tax Act of 1926, as amended, or by the provisions of this Section, to make a return of income or a return of information, except as provided by Subsection L of this Section, who shall fail to make such return at the time prescribed for the filing of the return, shall pay a penalty of not less than ten (\$10.00) dollars nor more than one thousand (\$1,000.00) dollars, which penalty shall be assessed and collected in the same manner and with like effect as taxes provided for by the Income Tax Act of 1926, as amended.

(2) Any person required by the Income Tax Act of 1926, as amended, to pay any tax, or any person required under the provisions of this Section, to pay any tax, withhold any tax, or to remit the taxes withheld or to remit any instalment of an estimated tax, who fails to pay any tax, withhold any tax, or to remit the taxes withheld or to remit any instalment of an estimated tax within the time allotted for the payment of the tax, shall pay in addition to the tax or the tax withheld, or required to be withheld, or instalment required to be paid, a penalty of twenty-five percent (25%) of the tax, the tax withheld, or the tax required to be withheld, or instalment required to be paid. If the tax, the tax withheld, or the tax to be withheld, and all applicable penalties are not paid within ten (10) days from the date of demand therefor by the South Carolina Tax Commission, the Tax Commission shall issue a warrant, for the collection of the tax, the tax withheld, or the tax to be withheld, and all applicable penalties, as provided by the Income Tax Act of 1926, as amended, and the provisions of this Section.

(3). Any person or any officer or any employee of any corporation or any member or any employee of any partnership who willfully or with fraudulent intent, fails to make any return required by the Income Tax Act of 1926, as amended, or by this Section, or to pay any tax, withhold any tax, or remit taxes withheld, shall pay in addition to the tax due, the amount of tax required to be withheld, or the tax withheld, an amount equivalent to said tax and interest thereon at the rate of one percent per month or fraction of a month,

computed upon the doubled tax and, in addition thereto, shall pay a penalty of not less than twenty (\$20.00) dollars nor more than one thousand (\$1,000.00) dollars, which penalty shall be assessed and collected in the same manner and with like effect as taxes provided for by the Income Tax Act of 1926, as amended. If the tax, the tax withheld, or the tax to be withheld, and all applicable penalties and interest are not paid within ten (10) days from the date of demand by the Tax Commission, the Tax Commission shall issue a warrant for the collection thereof as is provided by the Income Tax Act of 1926, as amended.

(4). Any person or any officer or any employee of any corporation, or any member or any employee of any partnership, who with intent to evade any requirement of the Income Tax Act of 1926, as amended, or of this Section, or any lawful requirement of the Tax Commission under the provisions of the Income Tax Act of 1926, as amended, or under this Section, shall fail to pay any tax, to make, sign, or verify any return, to withhold any tax, or to remit any tax withheld, or to supply any information required by or under the provisions of the Income Tax Act of 1926, as amended, or of this Section, or who with like intent shall make, render, sign, or verify any false or fraudulent return or statement, or shall supply any false or fraudulent information, shall be guilty of a misdemeanor and, upon conviction, be fined not to exceed five thousand (\$5,000.00) dollars, or be imprisoned not to exceed five (5) years, or both, at the discretion of the court.

SUBSECTION Q. Should the amount appropriated for the administration and enforcement of the provisions of this Section be insufficient, the Tax Commission, the State Treasurer, and the Comptroller General may, upon approval by the State Budget and Control Board, expend from the revenue derived from income taxes in addition to the amount appropriated, a sufficient amount to provide for proper administration and enforcement of this Section.

SUBSECTION R. All acts or parts of acts inconsistent with the provisions of this Section are hereby repealed to the extent of such inconsistency.

SUBSECTION S. All acts or parts of acts repealed or amended by the provisions of this Section shall remain in full force and effect for the collection of any income taxes and the filing of any returns required under the provisions of the Income Tax Act of 1926, as amended, for all periods prior to the effective date of this Section.

SUBSECTION T. If any portion of this Section shall be declared invalid, such declaration shall not affect the other provisions hereof.

SUBSECTION U. This Section shall take effect January 1, 1960.

SECTION 13

Soft Drinks Tax

SUBSECTION A. Section 65-752, of the South Carolina Code of Laws for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“SECTION 65-752. For each gallon of syrup, for use at Soda Fountains in mixing any drink, which when mixed would be classified as a soft drink, there shall be affixed to the original container soft drinks license tax stamps, at the rate of one (\$1.00) dollar per gallon.”

SUBSECTION B. Section 65-754, of the South Carolina Code of Laws for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“SECTION 65-754. If any simple syrup is made, mixed, compounded or manufactured within this State for use at any place where soft drinks are mixed by dissolving sugar in water or any other mixture that will create simple syrup or in the event any syrup is made by adding concentrates or extracts to mixtures made of sugar and water, commonly referred to as “simple syrup”, the mixer, maker, manufacturer or compounder of such syrup shall place and keep it in containers until such syrup is needed for the purpose of mixing drinks and the containers of all such syrup so manufactured shall be stamped by the mixer, maker, manufacturer or compounder with soft drinks license tax stamps at the rate of one (\$1.00) dollar per gallon.”

SUBSECTION C. Section 65-755, of the South Carolina Code of Laws for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“SECTION 65-755. The payment of the license tax provided for in this article shall be evidenced by the affixing of South Carolina soft drinks license tax stamps to the original containers. Any person making simple or other syrup must maintain a complete record covering all purchases of sugar and other ingredients, except water, and shall secure and retain invoices on all such purchases for a period of two years.”

SUBSECTION D. Section 65-756, of the South Carolina Code of Laws for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“SECTION 65-756. The soft drinks license tax stamps above provided for shall be affixed to each individual container of any such syrup by wholesalers, manufacturers, jobbers or distributors within seventy-two hours after such syrup is received or made by them and by retailers within twenty-four hours after such syrup is received or made by them and in any event the containers must be stamped before any syrup is used in the making of soft drinks.”

SUBSECTION E. Section 65-757, of the South Carolina Code of Laws for 1952, as amended, is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

“SECTION 65-757. All retail dealers in soft drinks purchasing or receiving syrup from without the State, whether it shall have been ordered through a wholesaler or jobber within the State, by drop shipment or otherwise and all persons mixing, making, manufacturing or compounding any such syrup shall within ten (10) days after the end of the month during which such syrup was purchased, received, mixed, made, manufactured or compounded, make a report thereof to the South Carolina Tax Commission, in such form as may be prescribed by the Commission, and furnish such invoices and other information as the Commission may require. Failure to make such report and furnish such invoices and information as required shall constitute a violation of the provisions hereof and shall be subject to a penalty of not less than twenty (\$20.00) dollars nor more than one hundred (\$100.00) dollars, to be assessed and collected by the Commission as other taxes are collected.”

SUBSECTION F. This section shall take effect on July 1, 1959.

SECTION 14

Beer, Wine—Tax Discounts

Section 65-735, of the Code of Laws for South Carolina for 1952, as amended, is hereby amended by striking out all of the said Section and inserting in lieu thereof the following:

“SECTION 65-735. On sales of beer and wine lids, stamps and crowns made by the Commission to merchants or manufacturers for their individual use, the Commission shall allow the following discounts: On a sale in excess of twenty-five (\$25.00) dollars of beer and wine lids, a discount of two and one-half (2½%) percent on

the entire amount of such sale; on a sale in excess of twenty-five (\$25.00) dollars of beer and wine crowns or stamps, a discount of five (5%) percent on the entire amount of such sale.

Such discounts shall apply only to the tax and not the manufacturer's price or transportation cost. No other discounts except those provided herein shall be allowed by the Commission."

This Section shall take effect on and after July 1, 1959.

SECTION 15

Petroleum Products

Section 66-412 of the 1952 Code of Laws is hereby amended by striking out all of said Section and inserting in lieu thereof the following:

"Section 66-412. For the purpose of providing funds for inspecting, testing and analyzing petroleum products and for general state purposes, there shall be paid to the Commissioner of Agriculture a charge of $\frac{1}{4}$ cent per gallon, which payment shall be made before delivery to agents, dealers or consumers in the State."

This section shall take effect on July 1, 1959.

SECTION 16

Employees Insurance—Comptroller Withhold

Section 1-49, Code of Laws of 1952, is hereby amended by striking out said section and substituting therefor the following:

"Section 1-49. The Comptroller General shall, upon request of employees of the State, make deductions from the compensation of such employees for the payment of premiums for group life and hospital insurance; *Provided*, that the Comptroller General shall not be required to make such deductions where such groups shall consist of less than one thousand (1,000) State employees. The Comptroller General shall pay over to the insurance company, or its agents designated to receive such funds, all amounts so collected or withheld. But no part of the cost of such insurance or expenses incidental to such payroll deductions shall be borne by the State, nor shall any liability whatsoever be incurred by the State in connection therewith."

SECTION 17

State Hospital—Whitten Village—Issue Notes

SUBSECTION 1. The General Assembly finds that additional facilities are required at the South Carolina State Hospital and at Whitten Village and, therefore, authorizes the following undertakings:

1. The construction and equipment of a kitchen at the State Park Division of the State Hospital, and the construction and equipment of a laundry building for use of the Institution. It is estimated that the cost of these facilities will be \$1,500,000.00. The projects here authorized shall be constructed under the supervision of the Mental Health Commission.

2. The construction of additional facilities at Whitten Village, near Clinton, at a cost not exceeding \$500,000.00. The facilities here authorized shall be constructed under the supervision of the Governing Board of the Institution.

SUBSECTION 2. In order to provide funds for the expenditures authorized in this Section, and with the approval of the State Budget and Control Board having first been expressed by proper resolution, the Governor and the State Treasurer shall be empowered to issue notes of the State to the extent of not exceeding \$2,000,000.00. Such notes shall be in such series, at such times, and in such amounts (within the total authorized herein), under such conditions, and on such terms as the State Budget and Control Board shall prescribe. They shall mature in such successive annual installments, in such amounts, as the State Budget and Control Board shall determine, except that the last installment shall fall due not later than the tenth anniversary of the date the notes bear. The notes shall bear interest, payable annually or semiannually, at such rate or rates as the State Budget and Control Board may prescribe.

SUBSECTION 3. All notes issued under this section shall be signed by the Governor and the State Treasurer. The great seal of the State shall be affixed to or reproduced upon each of them, and each shall be attested by the Secretary of State. The delivery of the notes so executed and authenticated shall be valid notwithstanding any changes in officers or seal occurring after such execution or authentication. The notes shall be in such form as the State Budget and Control Board may prescribe.

The principal and interest on the notes issued pursuant to this section shall have the tax exempt status prescribed by Act No. 730 of 1952; and it shall be lawful for State funds and pension funds to be invested in the notes.

SUBSECTION 4. For the payment of the principal of and interest on all notes issued pursuant to this section there shall be pledged all of the revenue derived from paying patients at each of the institutions. All sums received in each fiscal year from this par-

ticular source of revenue shall be delivered to the State Treasurer to be applied by him to the payment of such principal and interest at such times and in such amounts as may be determined by the State Budget and Control Board.

End of Part II

All Acts or parts of Acts inconsistent with any of the provisions of Part I of this Act are hereby suspended for the fiscal year 1959-60. All Acts or parts of Acts inconsistent with any of the provisions of Part II of this Act are hereby repealed.

This act shall take effect immediately upon its approval by the Governor.

Approved the 20th day of April, 1959.

(R251, H1496)

No. 141

An Act To Create An Airport Commission For The City And County Of Sumter; To Define Its Powers And Duties And To Authorize The City And County Of Sumter To Make Certain Donations To The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter Airport Commission created—members.

—There is hereby created a Commission for the City and County of Sumter to be known as the Sumter Airport Commission. The Commission shall consist of five members to be appointed as follows: two by the City Council of the City of Sumter, two by the Sumter County Legislative Delegation, and one to be appointed by a majority vote of the four appointed as provided for above.

SECTION 2. Terms—officers.—The terms of office of the members of the Commission shall be for four years and until their successors are appointed and qualified, except that of the members first appointed, one shall be appointed by the City Council of the City of Sumter for a term of two years and one shall be appointed by the Sumter County Legislative Delegation for a term of two years. The Commission shall

elect one of its members as chairman and may elect such other officers as it deems necessary.

SECTION 3. Powers and duties.—The Commission herein created is hereby vested with the power to receive any gifts or donations from any source, and also to hold and enjoy property, both real and personal, in the County of Sumter, as granted to individuals under the laws of this State, for the purpose of establishing and maintaining airports or landing fields in the County of Sumter; and to make such rules and regulations as may be necessary in the conduct and operation of such airports or landing fields.

SECTION 4. City and county may donate money.—The City of Sumter is hereby empowered and authorized to appropriate and donate to the Commission such sums of money as it may deem expedient and necessary for the purpose of carrying out the provisions of this act; and similar power is hereby given to the County of Sumter, acting through its Legislative Delegation, upon the advice of the County Board of Commissioners.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R254, H1487)

No. 142

An Act To Authorize The Appointment Of A Deputy By The Probate Judge Of Chester County And To Define The Powers And Duties Of Such Deputy.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester County Probate Judge may appoint deputy.—The Probate Judge of Chester County may appoint a deputy who shall serve at the pleasure of the probate judge.

SECTION 2. Oath—powers and duties—compensation.—Before entering upon the duties of deputy probate judge such deputy shall take the oath prescribed by the Constitution of this State. Upon

meeting the same qualifications as required by law for judges of probate the deputy shall have the same powers and duties as the probate judge and shall receive such compensation as may be fixed in the annual Chester County Supply Act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R255, H1495)

No. 143

An Act To Amend Act No. 948 Of The Acts Of 1958 Relating To Designating And Classifying Of Public Roads In Jasper County, So As To Further Provide For The Notice Of Designating And Classifying Of Such Roads.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 948 Of 1958, amended—notice of classifications—appeals.—Section 2 of Act No. 948 of the Acts of 1958 is amended to read as follows:

“Section 2. The Board of Commissioners shall notify the general public and the owners of lands lying adjacent to the roads in the County Public Road System immediately after the designation and classification of the roads by publication of notice of the designation and classification in the Jasper County News, a newspaper published in Jasper County. Any owner of the lands lying adjacent to such roads who is aggrieved by such designation and classification shall, within thirty days after receipt of such notice, appear before the board and obtain a review of the classification of the road in question and the county board of commissioners may in its discretion reclassify such road.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R258, S145)

No. 144

An Act To Amend Section 23-312, Code Of Laws Of South Carolina, 1952, As Amended, Providing That Candidates For National, State, Circuit Or County Offices Nominated By Primary Or Convention To Be Placed On Ballot Shall Be Certified At Least Sixty Days Prior To The Date Of The Election, And Providing That Candidates In Municipal Elections Shall Be Certified At Least Fifteen Days Prior To The Election, So As To Reduce The Time For Certification In The Case Of Candidates For County Offices To Twenty Days.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 23-312, 1952 Code, amended—when party nominees to be placed on ballot—exceptions for municipal and county elections.—Section 23-312, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 23-312. The nominees in a party primary or party convention held under the provisions of this Title by any political party, certified as such by the Secretary of State under this Title for one or more of the offices, national, state or circuit, to be voted on in any general election, shall be placed upon the appropriate official ballot for the election as candidates of such party by the officer, commissioners or other authority charged by law with preparing such ballot if the names of such nominees are certified to such officer, commissioners or other authority, as the case may be, at least sixty days prior to the date of the holding of the election. *Provided*, that in case of county or municipal elections, the nominees of any party primary or party convention shall be placed upon the appropriate official ballot for the election as candidates for such party by the officer charged by law with preparing such ballots, if the names of nominees in municipal elections are certified to such authority at least fifteen days prior to the date of the holding of the election and if the names of nominees in county elections are certified to such authority at least twenty days prior to the date of the holding of the election.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R259, S178)

No. 145

An Act To Amend Section 68-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Appropriation And Credit Of Funds To The State's Account In The Unemployment Trust Fund Pursuant To The Provisions Of Section 903 Of The Social Security Act, As Amended, So As To Make Further Provisions Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (1) (b) of Section 68-313, 1952 Code, amended—length of time money may be obligated.—Item (1) (b) of Section 68-313, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“(1) (b) Limits the period within which such money may be obligated to a period ending not more than two years after the date of the enactment of the appropriation law; and”.

SECTION 2. Item (1) (c) of Section 68-313, 1952 Code, amended—amount which may be obligated for one year.—Item (1) (c) of Section 68-313, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“(1) (c) Limits the amount which may be obligated during any twelve month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which (i) the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act, as amended, during the same twelve month period and the four preceding twelve month periods, exceeds (ii) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during any of such five twelve month periods.”

SECTION 3. Item (2) of Section 68-313, 1952 Code, amended—withdrawal and deposits.—Item (2) of Section 68-313, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“(2) Money credited to the account of this State pursuant to Section 903 of the Social Security Act, as amended, may not be withdrawn or used except for the payment of benefits and for the payment of expenses for the administration of this act. Amounts credited to this State's account in the Unemployment Trust Fund

under Section 903 of the Social Security Act which are obligated for administration or paid out for benefits shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during a twelve month period specified herein may be charged against any amount credited during such a twelve month period earlier than the fourth preceding such period."

SECTION 4. Item (3) of Section 68-313, 1952 Code, amended—money requisitioned for payment of expenses of administration.—Item (3) of Section 68-313, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"(3) Money requisitioned as provided herein for the payment of expenses of administration shall be deposited in the employment security administration fund, but until expended, shall remain a part of the unemployment fund. The Commission shall maintain a separate record of the deposit, obligation, expenditure and return of funds so deposited. Any money so deposited which either will not be obligated within the period specified by the appropriation law or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund."

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R260, S190)

No. 146

An Act To Amend Section 1 Of Article V-A, Act No. 3 Of The Acts Of 1953, Relating To Insurance Coverage Of School Children, So As To Provide For Dentistry Claims And Certain Bodily Losses.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (1) of Section 1 (a) of Article V-A of Act 3 of 1953, amended—insurance benefits for children injured

on school buses.—Subsection (1) of Section 1 (a) of Article V-A, Act No. 3, of the Acts of 1953, is amended to read as follows:

“(1) For the lawful occupant of any such school bus who suffers personal injuries or death, a death benefit of two thousand dollars (\$2,000.00) and an amount sufficient to defray the cost of hospitalization, surgery, dentistry, medicine, and all other medical expenses up to three thousand dollars (\$3,000.00), but not more than one hundred and fifty dollars (\$150.00) for dentistry; and dismemberment and loss of sight benefits as follows:

(a) For loss of both hands or both feet or sight of both eyes, two thousand dollars (\$2,000.00);

(b) For loss of one hand and one foot, two thousand dollars (\$2,000.00);

(c) For loss of either hand or foot and sight of one eye, two thousand dollars (\$2,000.00);

(d) For loss of either hand or foot or sight of one eye, one thousand dollars (\$1,000.00);”.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R261, S224)

No. 147

An Act To Repeal So Much Of Section 4 Of Act No. 919 Of The Acts Of 1958, Relating To The Trapping Of Fur-Bearing Animals, Which Provides That The Provisions Of The Act Shall Not Apply To Laurens County, And To Provide That The Provisions Of The Act Shall Apply To Laurens County With The Open Season In This County Extending From December First To January Thirty-First Of The Following Year.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act 919 of 1958, amended—to apply to Laurens County—season for trapping fur-bearing animals in Laurens County.—So much of Section 4 of Act No. 919 of the Acts of 1958 which provides that the provisions of Act No. 919 shall not

apply to Laurens County is repealed, and it is specifically provided that the provisions of this act shall apply to Laurens County, except that the open season for trapping fur-bearing animals in Laurens County shall be from the first of December until the thirty-first of January of the following year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R262, H1074)

No. 148

An Act To Provide Where Certain Magistrate's Cases In Horry County Shall Be Tried.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Horry County criminal causes to be tried in magisterial district where offense committed.—In Horry County criminal causes shall be tried in the magisterial district where the offense was committed; *provided*, that if there is any conflict between the arresting officer and the defendant as to which magisterial district the offense was committed in, the venue shall be in the discretion of the arresting officer. Nothing contained in this act shall deprive either of the parties of the right to petition for a change of venue as provided by law and this act shall not be construed so as to interfere with the countywide jurisdiction of any magistrate in Horry County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R263, H1189)

No. 149

An Act To Amend Section 3-602, Code Of Laws Of South Carolina, 1952, Relating To Unmixed Crushed Ear Corn As A Concentrated Commercial Feeding Stuff, So As To Delete Therefrom The Exception Which Provides That The Provisions Of Such Section Shall Not Apply To Manufacturers In This State If The Amount Of Corncobs Present Shall Not Exceed The Amount Derived From Crushing Or Grinding The Whole Ear Corn.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3-602, 1952 Code, amended—crushed or ground corn to be commercial feeding stuff.—Section 3-602, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 3-602. Crushed or ground ear corn when sold by itself is a concentrated commercial feeding stuff and the sale thereof within this State shall be governed by the provisions of articles 1 to 6 of this chapter and the rules and regulations prescribed by the Commissioner of Agriculture.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R267, H1486)

No. 150

An Act To Amend Section 14-1362, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Board Of County Directors Of Chester County, So As To Increase The Terms Of Members To Four Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 14-1362, 1952 Code, amended—Chester County Board of Directors—number—elections—terms—vacancies.—Section 14-1362, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

"Section 14-1362. There shall be a board of county directors of the county to consist of five members, one resident qualified elector from each of the said districts, who shall be elected by the qualified electors within the said districts. The members shall be elected in the general election and shall serve for a four-year term, commencing on January first following such general election, and until their successors have been duly elected and qualified. Any vacancy in office occurring by reason of resignation, death or otherwise shall be filled by the Governor for the unexpired term only upon the unanimous consent of the Legislative Delegation from Chester County. *Provided*, however, the terms of office of the present board of directors shall be for four years."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R268, H1522)

No. 151

An Act To Amend Section 15-1520, Code Of Laws Of South Carolina, 1952, Relating To Exclusive Issuance Of Process In Civil And Criminal Court Of Charleston By Ministerial Magistrates In Its Territorial Jurisdiction, So As To Extend Such Issuance Of Process To Matters Involving Not More Than Two Hundred And Fifty Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-1520, 1952 Code, amended—Civil and Criminal Court of Charleston—issuance of processes.—Section 15-1520, Code of Laws of South Carolina, 1952, is amended to read as follows :

"Section 15-1520. All summonses and other processes for the civil and criminal court of Charleston shall be issued exclusively by one of the ministerial magistrates in its territorial jurisdiction, except in cases wherein the amount sued for or the value of the property claimed exceeds two hundred and fifty dollars, in which cases the

practice, pleadings, forms and modes of procedure in force in the courts of common pleas shall be applicable to and be followed in the civil and criminal court of Charleston."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R269, S180)

No. 152

An Act Creating Florence County School District No. 5 And Authorizing And Directing The Florence County Board Of Education To Transfer Certain Areas Of School District No. 2 To The New District Created, If The Election Herein Provided Results Favorably Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County School District 5 created if election favorable.—A new school district, to be known as Florence County School District No. 5, is hereby created, provided the conditions precedent hereinafter set forth are met.

SECTION 2. Area.—The Florence County Board of Education is authorized and directed to transfer areas, formerly known as Johnsonville School District No. 55, Trinity School District No. 35, Prospect School District No. 54 and Vox School District No. 56, now in School District No. 2, to the new district hereby created.

SECTION 3. Election.—The Florence County Commissioners of Election shall hold an election on June 16, 1959, to determine whether or not the qualified electors, who are freeholders within the proposed Florence County School District No. 5, wish such district to be created.

SECTION 4. Question.—Ballots shall be provided at the various voting precincts within the proposed school district with the following question printed or written thereon: "Shall Florence County School District No. 5 be created and be composed of the areas formerly known

as Johnsonville School District No. 55, Trinity School District No. 35, Prospect School District No. 54 and Vox School District No. 56?

Yes ☐
No ☐

Those voting in favor of the creation of such school district shall deposit a ballot with a check or cross mark in the square after the word "Yes" and those voting against the creation of such school district shall deposit a ballot with a check or cross mark in the square after the word "No".

SECTION 5. Results.—The Commissioners of Election shall report the results of the election together with the ballots cast at the respective voting places to the county board of education within forty-eight hours after the closing of the polls. The county board of education shall canvass the ballots and declare the results.

SECTION 6. District created if election favorable.—In the event the electors vote in favor of the creation of Florence County School District No. 5, then Sections 1 and 2 of this act shall become effective.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R270, S240)

No. 153

An Act To Amend Section 51-211, Code Of Laws Of South Carolina, 1952, Creating The Broadaway Lake Commission In Anderson County, So As To Further Provide For The Membership; And To Amend Section 51-233, Code Of Laws Of South Carolina, 1952, Authorizing The Commission To Expend Funds Received, So As To Require Such Moneys Received To Be Turned In To The County Treasury And To Provide That Money Expended By The Commission Shall Be Upon Regular Vouchers; And To Prohibit The Issuing Of Fishing Licenses By The Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 51-211, 1952 Code, amended—Broadaway Lake Commission—members—terms.—Section 51-211, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 51-211. There is hereby created a commission in Anderson County to be known as the Broadaway Lake Commission, composed of five members, residing in said county, who shall upon the recommendation of a majority of the county legislative delegation, including the Senator, be appointed by the Governor for a term of two years and until their successor shall have been appointed and qualified.”

SECTION 2. Section 51-233, 1952 Code, amended—receipts and expenditures of commission.—Section 51-233, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 51-233. All funds received by the commission under the provisions of this article shall be remitted to the county treasurer and placed in the general fund of Anderson County. All expenditures by the commission shall be covered by vouchers which shall be approved by the governing body of the county in the same manner as other expenditures of the county are approved.”

SECTION 3. Licensing and fishing in Lake Broadaway—State Laws to apply.—After the effective date of this act no fishing licenses for the privilege of fishing in Broadaway Lake shall be issued by the commission. Such licenses as are now in force shall remain effective until their expiration date, but shall not be renewed. Such laws, rules and regulations governing fishing licenses and the catching of fish in waters of the State generally shall apply in like manner to Broadaway Lake Dam.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R271, S245)

No. 154

An Act To Repeal Acts Of 1959 Bearing Ratification Numbers R-16, R-22, R-59 And R-197, Relating To The Permissive Saturday Closing Of Certain Banks.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Acts 8, 12, 31 and 111 of 1959 and 168 of 1957, repealed.—Acts of 1959 bearing ratification numbers R-16, R-22, R-59 and R-197 are hereby repealed. Provided, further, that Act No. 168 of Acts of 1957 is hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R272, H1325)

No. 155

An Act Providing For The Licensing Of Persons Giggling For Fish In Salt Waters In Game Zone 6, And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Game Zone 6—giggling in salt waters—nonresident licenses—penalties.—All nonresidents of this State, before giggling for fish in the salt waters in Game Zone 6 shall first procure a nonresident giggling license, the fee for which shall be twenty-five dollars and twenty-five cents. Any person violating the provisions of this section, upon conviction, shall be punished by a fine of not less than fifty dollars or imprisonment for not less than thirty days for the first offense. The fine or imprisonment for each subsequent violation shall be double the amount of such previous fines and imprisonments imposed upon such violators.

SECTION 2. Further—resident licenses.—All residents of this State or freeholders of the counties within the zone, before giggling for fish in the salt waters in Game Zone 6 shall procure a resident giggling license, the fee for which shall be one dollar and ten cents. Any person violating the provision of this section, upon conviction, shall be punished by a fine of not less than ten dollars or imprisoned

for a period of not less than ten days for the first offense. The fine or imprisonment for each subsequent offense shall be double that previously imposed against such violators.

SECTION 3. Sale of licenses.—The license shall be procured from any county treasurer, within Game Zone 6, his designated agents or any authorized official of the Wildlife Resources Commission.

SECTION 4. Subsequent violations—disposition of fees and fines.—Upon conviction of any person of a second or subsequent violation of this act, any boats and equipment used by such person in such second or subsequent violation shall be confiscated and sold by the sheriff of the county wherein the violation occurred. The proceeds from such sales and all license fees and fines collected under the provisions of this act shall be forwarded monthly to the Wildlife Resources Commission.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R273, H1417)

No. 156

An Act Providing For Fishing In Private And Segregated Ponds Of The State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Creel limits not to apply to private ponds—conditions.—When fishing in private ponds entirely segregated from other waters, creel limits shall not apply, *provided*, permission shall have been given by the owner of such pond to exceed statutory limits.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R274, H1429)

No. 157

An Act To Amend Section 33-229, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Suits Against The Highway Department And The Extent Of Recovery, So As To Increase The Amount Which May Be Recovered In Case Of Property Damage From Fifteen Hundred Dollars To Three Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 33-229, 1952 Code, amended—suits against Highway Department—amount which may be recovered.—Section 33-229, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 33-229. Any person who may suffer injury to his person or damage to his property by reason of (a) a defect in any State Highway, (b) the negligent repair of any State Highway or (c) the negligent operation of any vehicle or motor vehicle in charge of the State Highway Department while such vehicle or motor vehicle is actually engaged in the construction or repair of any of such highways may bring suit against the Department for the actual amount of such injury or damage not to exceed in case of property damage the sum of three thousand dollars and in case of personal injury or death the sum of eight thousand dollars. This act shall apply to any suit brought upon a cause of action accruing after its passage.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R279, H1539)

No. 158

An Act To Provide For The Compensation And Mileage Of Jurors In The Circuit Court Of Saluda County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Saluda County—compensation of jurors.—Notwithstanding the provisions of Section 38-308, Code of Laws of South

Carolina, 1952, as amended, jurors serving in the Circuit Court of Saluda County shall receive five dollars and fifty cents per day and be paid mileage at the rate of five cents per mile for each trip going to and returning from court.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R283, H1554)

No. 159

An Act To Authorize And Empower The Treasurer Of Spartanburg County To Consolidate Bank Accounts If Segregation Of Accounts Is Not Required; To Provide That All Deposits Of County Funds Shall Be Fully Secured; And To Authorize The Investment Of County Funds In U. S Treasury Obligations, Upon The Approval Of The County Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—treasurer may consolidate bank accounts.—The Treasurer of Spartanburg County is authorized to consolidate all bank accounts, if segregation of accounts is not required by statute, into one account. The treasurer shall establish an appropriate fund ledger to accurately show the equities of the various funds if consolidated.

SECTION 2. Deposit of funds.—All deposits of county funds in any bank shall be fully secured, said securities to be approved by the County Board of Spartanburg County.

SECTION 3. Investments.—The county treasurer is authorized to invest funds of the county in U. S. Treasury obligations, with the approval of the County Board of Spartanburg County.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R284, H1555)

No. 160

An Act Authorizing Certain Old Balances And Checks Of Various Offices And Departments In Spartanburg County To Be Written Off; To Credit The Amounts Written Off To The General Fund Of The County; To Credit Certain Unapportioned Funds Of The County Treasury To The School District Control Account; And To Provide For Payment Of Claims Caused By Writing Off Old Balances And Checks.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—certain checks and balances may be written off—claims.—In Spartanburg County, checks and balances, which have been carried more than two years, may be written off at the discretion of the administrative head of the county office or department. Amounts written off shall be credited to the General Fund of Spartanburg County. A list of old balances and checks charged off shall be filed with the county board showing the number of the check, the date of its issue, the amount and any other identification available. Old balances shall be listed so as to show the date received, the payee, the amount and any other pertinent data. Should any legal claim be filed for any check or balance written off in accordance with this act, the claim shall be paid on a warrant chargeable against the general fund of the county if the claim is approved by the department head and the county board.

SECTION 2. Transfer funds to school district control account.—The unapportioned funds of the county treasury, in the amount of two thousand three hundred thirteen dollars and sixty-one cents, shall be credited to the school district control account to adjust the account of the separate school district account.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R285, H1585)

No. 161

An Act To Amend Section 6 Of Act No. 922 Of The Acts Of 1958, Relating To The Jurisdiction Of And Transfer Of Cases From The Civil And Domestic Relations Court Of Laurens, So As To Raise The Civil Jurisdiction Of Such Court To Three Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 6 of Act 922 of 1958, amended—Civil and Domestic Relations Court of Laurens—jurisdiction.—Section 6 of Act No. 922 of the Acts of 1958 is amended to read as follows:

“Section 6. The Civil and Domestic Relations Court of Laurens shall have concurrent jurisdiction with the court of common pleas, in all civil cases and special proceedings, both at law and in equity, not involving title to real estate, in which the amount demanded in the complaint does not exceed the sum of three thousand dollars. The court shall have concurrent jurisdiction with the court of common pleas of the county in actions relating to the adoption of children, divorce from the bonds of matrimony and alimony and settlement of property rights connected therewith, regardless of the amount of alimony or of the value of the property rights settled or judgment obtained therein. In cases involving any delinquent minor child, the judge of the court is authorized and directed to take any appropriate action looking toward the welfare of such minor without the necessity of formal pleadings being filed in such cases, if same be practicable. If informal adjustment appears impracticable the court may direct the person making the informal complaint, if an adult or some responsible person, if the complainant be a minor under the age of eighteen years, to file petition upon forms to be supplied by the court, and shall conduct such hearings thereon necessary to dispose of the cases giving due notice to all parties concerned. This court shall have the responsibility and power previously exercised by the Domestic Relations Court of Laurens County and the Probate Judge of Laurens County in regard to the welfare of minor children. All juvenile cases now pending in the Domestic Relations Court of Laurens County are hereby transferred to the Civil and Domestic Relations Court of Laurens.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R289, H1546)

No. 162

An Act Providing For The Disposition Of Funds Held By The Probate Judge Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Probate Judge of Laurens County to transfer certain funds to treasurer.—The Probate Judge of Laurens County is directed to turn over to the county treasurer the funds held by him as credit balances in the various accounts in his office when, in the opinion of the probate judge, the persons entitled to the funds cannot be found after due diligence and when it is probable that the funds will never be claimed by the persons entitled to them.

SECTION 2. Notations to be made in account books—receipt.—Upon turning over to the county treasurer the credit balances in the various accounts, the probate judge shall enter upon his account book for each account a notation to the effect that the balance was turned over to the county treasurer under the provisions of this act, citing it by giving the number and date of approval.

Upon receipt of such funds the county treasurer shall give the probate judge a proper receipt therefor and he shall credit the funds to the general fund of the county.

SECTION 3. Claims—filing of.—If any person claims any of the money after it has been turned over to the county treasurer, he shall file a written claim therefor with the probate judge. The claim shall state the facts upon which it is based, and the probate judge shall determine the validity of the claim as the validity of claims against estates in the course of administration before him are determined. Notice of the filing of the claim shall be given to the county treasurer and to the county attorney by the claimant. The county attorney shall appear in the matter and raise such objections to the allowance of the claim as in his judgment are warranted under the facts of the case. Appeals from the findings of the probate judge may be had

as provided by law in the case of appeals from any decision on a claim filed against an estate administered before him.

No claim shall be filed later than ten years after the money has been turned over to the county treasurer, except in cases of legal disability in which event the claim shall be filed not later than ten years after removal of the disability.

SECTION 4. Payment of claims.—If a claim made pursuant to the terms of this act is finally determined in the claimant's favor the probate judge shall issue his voucher for the payment thereof. The voucher shall be honored by the treasurer and payment shall be made out of the general fund of the county.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R291, S72)

No. 163

An Act To Amend Section 37-158, Code Of Laws Of South Carolina, 1952, As Amended, By Act No. 367 Of The Acts Of 1953, Relating To Group Plans Of Insurance And Related Matters, So As To Provide For The Issuance Of Policies To Credit Unions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (A) of Section 37-158, 1952 Code, amended—issuance of group insurance policies to credit unions—Act No. 367 of the Acts of 1953, amending Section 37-158, Code of Laws of South Carolina, 1952, is amended by adding at the end of subsection (A) of Section 37-158 the following :

“(5) A policy issued to a credit union, which shall be deemed to be the policyholder, the premium on which is to be paid by the credit union or by the credit union and its members jointly, and insuring all of its eligible members for amounts of insurance, not in excess of the share balance as to each member, based upon some plan which will preclude individual selection, for the benefit of the share account

of the member or some person or persons other than the credit union or its officials, subject to the following requirements:

(a) All eligible members of a credit union may be insured.

(b) When the premium is to be paid by the credit union and its members jointly and the benefits are offered to all eligible members, not less than seventy-five per cent of such members must be so insured."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R292, S99)

No. 164

An Act To Amend Section 37-247, Code Of Laws Of South Carolina, 1952, Relating To Countersigning Of Policies By Resident Agents And Exceptions Therefrom, So As To Exempt Bid Bonds Issued In Connection With Any Public Or Private Building Or Construction Project.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 37-247, 1952 Code, amended—insurance policies to be countersigned by resident agents—exemptions.—Section 37-247, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 37-247. All business done in this State by insurance companies doing the business of insurance as defined in this Title shall be transacted by their regularly authorized agents residing in this State or through applications of such agents, and all policies, except life insurance policies, so issued must be countersigned by such agents. It shall be unlawful for any salaried officer, manager or other representative of any such company to transact for his company any of the business of a licensed agent for which such licensed agent receives a commission, unless he himself shall be a bona fide resident licensed agent. But nothing in this section shall be construed to prevent the use, in the discretion of the company, of a countersigna-

ture endorsement which on its face is identified with the insurance contract for attachment to which it is issued and which on its face develops information in respect of such contract, including full premium information, sufficient for the countersigning agent's record and which shall be signed by the countersigning agent. Any such countersignature by the duly licensed agent of the company originating a contract of insurance participated in by other companies as co-sureties or co-indemnitors shall satisfy all countersignature requirements in respect of such contract of insurance. No provision of this section is intended to or shall apply to direct insurance covering the rolling stock of railroad corporations or property in transit while in possession and custody of railroad corporations or other common carriers; nor to bid bonds issued by any surety company in connection with any public or private building or construction project."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R293, S188)

No. 165

An Act To Designate A Certain Portion Of The Little River In Oconee County A Muddy Water Stream.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Portion of Little River in Oconee County designated as muddy water stream.—That portion of the Little River in Oconee County from the bridge across such river on State Highway 183 to its confluence with the Keowee River is hereby designated a muddy water stream.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R296, S85)

No. 166**An Act Providing For The Election Of The Mayor And Councilmen For The Town Of Heath Springs In Lancaster County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Heath Springs to have mayor and four councilmen—election of.—The Town of Heath Springs shall have a mayor and four councilmen, who shall be elected by the qualified electors of the town at large for terms of four years and until their successors are elected and qualify.

SECTION 2. Not to affect present mayor and councilmen.—The provisions of this act shall not affect the terms of the present mayor and councilmen.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R297, S86)

No. 167**An Act Providing For The Election Of The Mayor And Councilmen For The City Of Lancaster.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. City of Lancaster to have mayor and six councilmen.—The City of Lancaster shall have a mayor and six councilmen, who shall be elected by the qualified electors of the city at large, one councilman to be elected from each of the six wards.

SECTION 2. Terms.—The terms of the mayor and city councilmen shall be for four years and until their successors are elected and qualify, except that the mayor and three councilmen to be elected in 1959 shall serve for terms of three years and until their successors are elected and qualify.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R299, S235)

No. 168

An Act To Amend Act No. 722 Of The Acts Of 1956, Relating To The Beaufort County Development Board, So As To Increase The Membership Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 722 of 1956, amended—Beaufort County Development Board—members—terms—vacancies.—Section 2 of Act No. 722 of 1956 is amended to read as follows :

“Section 2. The board shall consist of seven members who shall be appointed for a term of office of four years and until their successors are appointed and qualify. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term.”

SECTION 2. Initial terms.—The initial term of office of one of the additional members provided for in this act shall expire on April 30, 1960 and the initial term of office of the other additional member shall expire on April 30, 1962.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R301, S87)

No. 169

An Act To Provide That The Chief Justice Of The Supreme Court Shall Be The Administrative Head Of The Courts In This State.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chief Justice of Supreme Court to be administrative head of all State courts—duties—vacancy.—The Chief

Justice of the Supreme Court shall be the administrative head of all courts in this State. He shall examine the administrative methods, systems and activities of the courts and their employees, examine the dockets of the several courts and require the courts and their employees to furnish to him such information as may be appropriate to assist in the administration of the courts. Within the framework of the requirements of Section 15-129, Code of Laws of South Carolina, 1952, he shall make all assignments of duties for the circuit judges and may, from time to time, transfer a circuit judge from one assignment to another, as such judge's regularly assigned duties will permit and as the need appears. He shall have the right to call additional terms of court, to assign more than one judge to a circuit, if such additional judge's regularly assigned duties will permit and if need appears, and generally to supervise the calendars of trial courts in the interest of the better administration of justice. In the event that there is a vacancy in the position of Chief Justice or for any reason the Chief Justice is unable to act, the powers and functions provided herein shall be exercised by the senior associate justice.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

An Act To Amend Sections 56-951, 56-952, 56-961, 56-963, 56-965, 56-967, 56-970, 56-985, 56-986, 56-994, 56-995, 56-1002, 56-1003, 56-1004, 56-1005, 56-1006 And 56-1016, Code Of Laws Of South Carolina, 1952, Relating To The Licensing Of Registered Nurses And Licensing Practical Nurses, So As To Further Provide For Same; To Change The Name Of The State Board Of Examination And Registration Of Nurses To The State Board Of Nursing And To Further Provide For Its Duties And Functions; To Authorize The Board To Promulgate Rules And Regulations And Fix Fees In Furtherance Of This Act; And To Re-

peal **Sections 56-984, 56-1001, 56-1012 And 56-1015, Code Of Laws Of South Carolina, 1952.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 56-951, 1952 Code, amended—requirements of registered nurses.—Section 56-951, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 56-951. Any person shall be regarded as a ‘registered nurse,’ within the meaning of this chapter, who has graduated from an accredited school of nursing, as provided in this chapter, has passed a satisfactory examination before the State Board of Nursing, hereinafter referred to as the board, and has complied with all other requirements of this chapter.”

SECTION 2. Section 56-952, 1952 Code, amended—requirements of licensed practical nurses.—Section 56-952, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 56-952. Any person shall be regarded as a ‘licensed practical nurse,’ within the meaning of this chapter, who has successfully completed an accredited course for the training of practical nurses, as provided in this chapter, has completed a satisfactory examination before the board and has complied with all other requirements of this chapter.”

SECTION 3. Section 56-961, 1952 Code, amended—composition of board.—Section 56-961, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 56-961. The board shall be composed of five persons to be appointed and commissioned in the following manner :

The South Carolina State Nurses’ Association shall be entitled to two representatives on the board who shall be members of the South Carolina State Nurses’ Association and who must have had at least three years of practice in their profession immediately preceding their appointment.

The South Carolina Medical Association shall be entitled to two representatives on the board who must have had at least three years of practice in their professions immediately preceding their appointment.

The South Carolina Hospital Association shall be entitled to one representative on the board who shall be a registered nurse of South Carolina and shall also be a member of the South Carolina State

Nurses' Association and a graduate of a school of nursing not already represented on the board."

SECTION 4. Section 56-963, 1952 Code, amended—compensation of board.—Section 56-963, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 56-963. Out of the funds coming into possession of the board, each member may receive for his services traveling expenses, as is provided by law for State employees, and a per diem allowance to be set by the board, for each day actually engaged in the duties of his office, including a reasonable number of days for the preparation of examinations and reviewing same, in addition to the time actually spent in conducting examinations. Such expenses shall be paid from the fees received by the board under the provisions of this chapter."

SECTION 5. Section 56-965, 1952 Code, amended—employ executive director and other personnel—salaries.—Section 56-965, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 56-965. The board shall appoint and employ a qualified person to serve as executive director and it shall fix her compensation and define her duties. The board may employ such other persons as may be necessary to carry on its work. The salaries of employees and necessary expenses incurred in the performance of their duties shall be paid out of funds held by the board on approval of the president of the board."

SECTION 6. Section 56-967, 1952 Code, amended—seal—rules and regulations—fees.—Section 56-967, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 56-967. The board may have and use an official seal bearing the words: 'State Board of Nursing for South Carolina.' It is hereby authorized and empowered to make such rules and regulations as it may deem necessary for the purposes of carrying out the provisions of this chapter and shall fix such fees as it may deem necessary and when such rules have been adopted, a copy of same shall be filed with the Secretary of State. Upon their adoption, they shall have the full force and effect of law."

SECTION 7. Section 56-970, 1952 Code, amended—disposition of funds.—Section 56-970, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-970. All moneys received in excess of the mileage and per diem allowances of the members shall be held by the board as a special fund for meeting the expenses of the board and carrying out the provisions of this chapter and for the promotion of nursing education and good standards of nursing care in this State. All disbursements from the funds of the board must have the approval of its president.”

SECTION 8. Section 56-985, 1952 Code, amended—fees of applicants.—Section 56-985, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-985. Each applicant shall pay to the board such fee as shall be determined by the board.”

SECTION 9. Section 56-986, 1952 Code, amended—registration of nurses from other states.—Section 56-986, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-986. The board may issue certificates of registration without examination to nurses registered in other states, territories, the District of Columbia or foreign countries, provided the individual qualifications of the nurse meet the requirements of this chapter, the board and the required fee is paid.”

SECTION 10. Section 56-994, 1952 Code, amended—fees of applicants.—Section 56-994, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-994. The applicant, applying for a license to practice as a licensed practical nurse, shall pay to the board such fee as shall be determined by the board.”

SECTION 11. Section 56-995, 1952 Code, amended—licensing of practical nurses from other states.—Section 56-995, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-995. The board may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed as a licensed practical nurse or a person entitled to perform similar services under a different title under the laws of another state, territory, the District of Columbia or a foreign country if, in the opinion of the board, the applicant meets the requirements for licensed practical nurses in this State. Each applicant shall pay to the board such fee as it may determine.”

SECTION 12. Section 56-1002, 1952 Code, amended—applicants must pass examinations.—Section 56-1002, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-1002. Each applicant must pass the examinations conducted by the board, which may be written, oral, by practical demonstration or by a combination of any or all of these methods, in such subjects as may be determined by it.”

SECTION 13. Section 56-1003, 1952 Code, amended—re-examinations after failure.—Section 56-1003, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-1003. In case of failure at any examination, the applicant shall have the privilege of re-examination upon application and on payment of the fees fixed by the board.”

SECTION 14. Section 56-1004, 1952 Code, amended—revocation or suspension of licenses—appeals.—Section 56-1004, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-1004. The board may suspend or revoke, by a majority vote of its total membership, subject, on appeal, to review by the courts of the State, the license of any registered nurse or any licensed practical nurse, qualified under any provisions of this chapter, after due notice and fair opportunity for hearing, upon evidence satisfactory to the board that the holder thereof is guilty of felony or gross immorality, has violated the professional practice, or is addicted to alcoholic or other drug habits to such a degree as to render him unfit or unworthy to practice as a registered nurse or licensed practical nurse in this State. But, pending a final court decision, if resort is had to the courts under this section, the nurse under charges may continue in the practice of his profession until the decision of the tribunal appealed to is reached.”

SECTION 15. Section 56-1005, 1952 Code, amended—renewal of licenses.—Section 56-1005, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 56-1005. The license of every person, licensed under the provisions of this chapter to practice as a registered nurse or as a licensed practical nurse in this State, shall be annually renewed, except as herein otherwise provided. On or before December thirty-first of each year, the board shall mail an application form for renewal of a license to every person whose license was renewed during the current year. The applicant shall fill in the application

blank and return it to the board before February twenty-eighth with a renewal fee. Upon receipt of the application and the fee, the board shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the current year beginning January first and expiring December thirty-first. Such certificate of renewal shall render the holder thereof a legal practitioner for the period stated on the certificate of renewal.

Any licensee who allows his license to lapse, by failing to renew the license as provided above; may be reinstated by the board on satisfactory explanation of such failure to renew his license and on payment of a reinstatement fee and the current renewal fee.

Any person practicing as a registered nurse or licensed practical nurse during the time his license has lapsed shall be considered an illegal practitioner and shall be subject to the penalties provided for violation of this chapter."

SECTION 16. Section 56-1006, 1952 Code, amended—temporary retirement.—Section 56-1006, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 56-1006. A person currently licensed under the provisions of this chapter, desiring to retire from practice temporarily, or who leaves the State, may send to the board a written request for inactive status. Upon receipt of such request, the board shall act and place the name of such person on the inactive list. While remaining on this list, such person shall not be subject to the payment of any renewal fees and shall not practice nursing in the State. When such person desires to resume practice, an application for a renewal of license and payment of a renewal fee for the current year shall be made to the board."

SECTION 17. Section 56-1016, 1952 Code, amended—applications of institutions to train nurses or practical nurses.—Section 56-1016, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 56-1016. An institution desiring to establish a school of nursing or a course for training practical nurses shall apply to the board and submit evidence that it is prepared to meet the standards prescribed by law and the board."

SECTION 18. Repeal—Sections 56-984, 56-1001, 56-1012 and 56-1015, 1952 Code, repealed.—Sections 56-984, 56-1001, 56-1012, and

56-1015, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 19. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R303, H1557)

No. 171

An Act To Amend Section 47-731, Code Of Laws Of South Carolina, 1952, Relating To The Probation Period For Police-men And Firemen Under A Civil Service Commission In Certain Cities, So As To Increase The Probation Period In The City Of Greenville To Twelve Months.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-731, 1952 Code, amended—probation period in City of Greenville.—Section 47-731, Code of Laws of South Carolina, 1952, is amended by adding the following paragraph at the end thereof to read as follows:

“In the City of Greenville the period of probation shall be twelve months.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R304, H1558)

No. 172

An Act To Amend Section 32-1211, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Water Pollution In Greenville County, So As To Prohibit The Parking Of Vehicles And Dumping Trash And Debris Within The Watershed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-1211, 1952 Code, amended—certain acts unlawful concerning City of Greenville water supply and watershed.—Section 32-1211, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 32-1211. It shall be unlawful for any person:

(1) To trespass upon, defile, corrupt or make impure any well, spring, drain, branch, brook, creek or other source of public water supply of the City of Greenville by depositing human or animal excreta in any of the sources for such public water supply or on the watershed thereof;

(2) To camp, hunt, fish, wade, bathe or wash the person or any garment or other thing in such source or sources or upon any part of such watershed;

(3) To deposit or allow to remain the body of a dead bird or animal in such sources or on such watershed or pasture any pigs or hogs on such watershed; or

(4) To park or unnecessarily stop any vehicle on any public road within the bounds of the watershed or to throw trash, debris, or any other matter upon any road or lands within the bounds of the watershed.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R306, H1605)

No. 173

An Act To Amend Section 46-757, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Operation Of Motor Vehicles On The Beaches Of Horry County During Certain Months, So As To Increase The Period Of Prohibition.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-757, 1952 Code, amended—motor vehicles prohibited on Horry County beaches during certain periods—exemptions.—Section 46-757, Code of Laws of South Carolina,

1952, as amended, is further amended to read as follows:

"Section 46-757. The operation of motor vehicles on the beaches in Horry County from and including April fifteenth through September thirtieth each year is prohibited, but this prohibition shall not apply to emergency or law enforcement vehicles being used as such."

SECTION 2. Penalties.—Any person convicted of violating the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding one hundred dollars or by imprisonment for not more than thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R307, H1612)

No. 174

An Act To Authorize The School Districts Of Chesterfield County To Borrow Certain Sums For School Purposes In Anticipation Of The Collection Of Taxes And To Pledge School Taxes For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chesterfield County school districts may borrow money—notes—payment.—The school districts of Chesterfield County are hereby authorized to borrow annually such sums as may be necessary for the operation of the schools of the districts in anticipation of the collection of taxes levied for school purposes. No district shall be authorized to borrow any sum, pursuant to authority of this act, in excess of sixty per cent of anticipated taxes. Such sums as are borrowed shall be evidenced by notes given by the board of trustees of the particular school district concerned, and shall be signed by the chairman of the board, and countersigned by the Treasurer of Chesterfield County. For the payment of the notes the anticipated taxes of the year shall be pledged. This action by the board and the treasurer shall be authorized by the board of trustees by special

resolution of the board. The notes shall be payable at such times, in such amounts and at such rates of interest as may be determined by the board of trustees.

SECTION 2. Tax money to be placed in special fund.—The Treasurer of Chesterfield County shall place such portion of the taxes collected for school purposes as may be necessary in a special fund for the repayment of the notes provided for by this act.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R308, H1614)

No. 175

An Act To Direct The Treasurer Of Chesterfield County To Keep School Accounts Separate From Other Moneys Of The County And Authorize The Investment Of Such Moneys.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County Treasurer to keep school accounts separate—investment of funds.—The Treasurer of Chesterfield County is hereby directed to keep all school accounts separate from other moneys of the county. The treasurer is further directed, upon resolution by the board of trustees of any particular school district, to invest such funds in the amount and manner directed in the resolution. Such funds shall be invested in United States Government Bonds, Treasury Notes or any federally insured bank or savings and loan association, and any interest accrued thereon shall be credited to the school district concerned.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R309, S59)

No. 176

An Act To Ratify An Amendment To Article II, Section 4(a) Of The Constitution Of South Carolina, 1895, So As To Allow Spouses Of Certain Ministers And Teachers To Vote After The Same Period Of Residence As Required For Their Husbands And Wives.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Amendment to Section 4(a), Article II, State Constitution, ratified—residential voting requirements of spouses of certain ministers and teachers.—The amendment to Article II, Section 4(a) of the Constitution of South Carolina, 1895, proposed under the terms of Act No. 453 of 1957, having been submitted to the qualified electors in a manner prescribed by Section 1 of Article XVI of the Constitution of South Carolina, 1895, and a favorable vote having been received thereon, the amendment is ratified and declared to form a part of the Constitution so that when amended Article II, Section 4(a) of the Constitution of South Carolina, 1895, shall read as follows :

“Section 4(a). Residence. Residence in the State for two years, in the county for one year, in the polling precinct for which the elector offers to vote for four months ; *provided*, that ministers in charge of an organized church and teachers in public schools and the spouses of any such person shall be entitled to vote after six months residence in the State, otherwise qualified.”

Ratified the 7th day of May, 1959.

(R311, S250)

No. 177

An Act To Amend Paragraph (2) Of Section 15-262, Code Of Laws Of South Carolina, 1952, Providing Terms Of Court In The First Judicial Circuit, So As To Delete Therefrom The Provision For A Term Of The Court Of Common Pleas For Dorchester County For The Third Monday In May.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Paragraph (2) of Section 15-262, 1952 Code, amended—terms of court for Dorchester County.—Paragraph (2)

of Section 15-262, Code of Laws of South Carolina, 1952, providing terms of court in the First Judicial Circuit, is amended by striking out the following in the fourth line thereof: "the third Monday in May", so that when so amended it shall read as follows:

"(2) **Dorchester County.**—The court of general sessions for Dorchester County shall be held at St. George on the first Monday in April and the third Monday in October. The court of common pleas for said county shall be at St. George on the third Monday in April, and the second Monday in November. The duration of said courts shall be for one week each. There shall also be a court of common pleas at said place on the second Monday in July without a jury."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R312, H1324)

No. 178

An Act To Amend Act No. 659 Of The Acts Of 1956, Relating To The Regulation Of The Business Of Receiving And Caring For Or Placing Children, So As To Provide A Further Exemption From The Operation Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 659 of 1956, amended—act not applicable to certain institutions.—Section 1 of Act No. 659 of the Acts of 1956 is amended by adding at the end thereof the following proviso: "*Provided*, that this act shall not apply to Rescue Missions, or other similar charitable institutions, heretofore organized for the purpose of providing temporary care and custody of children and other needy persons and operating under a local board of trustees pursuant to duly authorized by laws."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R313, H1488)

No. 179

An Act To Provide For The Length Of Terms And The Filling Of Unexpired Terms Of Magistrates In Chester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Terms of Magistrates in Chester County.—Magistrates in Chester County shall be appointed for a term of four years and until their successors are appointed and qualified. The terms shall commence on May second of the year in which they are appointed. In filling an unexpired term the appointment shall be for the remainder of such unexpired term.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R314, H1525)

No. 180

An Act To Provide For The Regulation Of Certain Areas Lying Between The Corporate Limits Of The Town Of Cherry Grove Beach In Horry County And The Atlantic Ocean, And The Waterways Within The Corporate Limits Of The Town Leading Into The Atlantic Ocean.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Cherry Grove Beach may make ordinances concerning certain adjacent areas.—The Town of Cherry Grove Beach in Horry County may promulgate and enforce such ordinances, relative to regulating that area lying between the corporate limits of such town and the Atlantic Ocean, and the waterways within the corporate limits of the town leading into the Atlantic Ocean, as it may deem necessary to insure public health and safety.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R316, H1019)

No. 181**An Act To Prohibit Minors From Playing Or Being Permitted To Play Pinball Machines, And To Provide Penalties For Violations Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful for persons under eighteen to play pinball machines.—It shall be unlawful for any minor under the age of eighteen to play a pinball machine.

SECTION 2. Unlawful for pinball operators to allow persons under eighteen to play pinball machines.—It shall be unlawful for the operator of any pinball machine to permit any minor under the age of eighteen to play or operate such machine, and the operator of any pinball machine shall be responsible that every person who plays or operates his machine is in fact legally authorized to do so.

SECTION 3. Penalties.—Anyone violating the provisions of this act shall upon conviction be imprisoned for a period not to exceed thirty days or fined in an amount not to exceed one hundred dollars for a first offense, or imprisoned for a period not to exceed six months or fined in an amount not to exceed one thousand dollars, or both, for second and subsequent offenses.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R317, H1198)

No. 182**An Act To Amend Section 55-595, As Amended, And Section 55-596, Code Of Laws Of South Carolina, 1952, Relating To Arrest For Violation Of Terms Of Probation And Action Of The Court In Case Of Such Violation, So As To Allow The Court Within The Venue Of Which The Violation Occurs To Act Upon Such Matters.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 55-595, 1952 Code, amended—arrest of probation violators—bond.—Section 55-595, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 55-595. At any time during the period of probation or suspension of sentence the court, or the court within the venue of which the violation occurs, may issue or cause the issuing of a warrant and cause the defendant to be arrested for violating any of the conditions of probation or suspension of sentence. Any police officer or other officer with power of arrest, upon the request of the probation officer, may arrest a probationer. In case of an arrest the arresting officer shall have a written warrant from the probation officer setting forth that the probationer has, in his judgment, violated the conditions of probation and such statement shall be warrant for the detention of such probationer in the county jail or other appropriate place of detention, until such probationer can be brought before the judge of the court, or of the court within the venue of which the violation occurs. Such probation officer shall forthwith report such arrest and detention to the judge of the court, or of the court within the venue of which the violation occurs, and submit in writing a report showing in what manner the probationer has violated his probation. *Provided*, that any person arrested for the violation of the terms of probation shall be entitled to be released on bond pending a hearing, and such bond shall be granted and the amount thereof determined by a magistrate in the county where the probationer is confined, or by the magistrate in whose jurisdiction the alleged violation of probation occurred.”

SECTION 2. Section 55-596, 1952 Code, amended—action of court concerning probation violators.—Section 55-596, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 55-596. Upon such arrest the court, or the court within the venue of which the violation occurs, shall cause the defendant to be brought before it and may revoke the probation or suspension of sentence and shall proceed to deal with the case as if there had been no probation or suspension of sentence except that the circuit judge before whom such defendant may be so brought shall have the right, in his discretion, to require the defendant to serve all or a portion only of the sentence imposed. Should only a portion of the sentence imposed be put into effect, the remainder of such sentence shall remain in full force and effect and the defendant may again, from time to time, be brought before the circuit court so long

as all of his sentence has not been served and the period of probation has not expired.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R318, H1397)

No. 183

An Act To Amend Section 15-266, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Terms Of The Circuit Courts In The Fourth Circuit, So As To Change Certain Terms Of Court In Dillon, Marlboro And Chesterfield Counties And To Add A Term Of Court In Dillon County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 15-266, 1952 Code, amended—terms of court for fourth circuit.—Section 15-266, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 15-266. The courts of the fourth judicial circuit shall be held as follows :

(1) Courts of General Sessions: At Chesterfield for Chesterfield County on the first Monday in February, the second Monday in June and the second Monday in November ; at Bennettsville for Marlboro County on the second Monday in February, the first Monday in June and the first Monday in October ; at Darlington for Darlington County on the second Monday in January, the third Monday in March, the third Monday in June and the first Monday in November ; and at Dillon for Dillon County on the second Monday in March, the fourth Monday in June and the fourth Monday in September.

(2) Courts of Common Pleas: At Chesterfield for Chesterfield County on the first Monday in January, the third Monday in February, the third Monday in April, the fourth Monday in May, the first Monday in September, the fourth Monday in October and the fourth Monday in November ; at Bennettsville for Marlboro County on the third Monday in January, the first Monday in March,

the first Monday in April, the third Monday in May, the second Monday in October and the first Monday in December; at Darlington for Darlington County on the fourth Monday in January, the fourth Monday in March, the second Monday in April, the second Monday in May, the second Monday in July for two weeks, the third Monday in September and the second Monday in December; at Dillon for Dillon County on the fourth Monday in February, the first Monday in May, the second Monday in September, the third Monday in October and the third Monday in November."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R321, H1611)

No. 184

An Act To Provide That The Tax Levied By The Town Of Cherry Grove Beach In Horry County Shall Not Exceed Forty Mills On Every One Dollar Of Assessed Valuation Of Real And Personal Property Within The Corporate Limits.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Cherry Grove Beach—maximum tax levy.—Notwithstanding the provisions of Section 47-161, Code of Laws of South Carolina, 1952, as amended, the Town Council of the Town of Cherry Grove Beach in Horry County may by ordinance impose an annual tax upon all real and personal property within the corporate limits of the town, but such tax shall not exceed forty mills on every one dollar of assessed valuation of such property. *Provided*, that this levy shall be effective from the date of incorporation of the town.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R322, H1630)

No. 185

An Act To Authorize The Town Council Of The Town Of St. Matthews In Calhoun County To Levy An Annual Tax Not Exceeding Seventy Mills Upon All Of The Taxable Property In The Town.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of St. Matthews—maximum tax levy.—The Town Council of the Town of St. Matthews in Calhoun County may levy an annual tax, not exceeding seventy mills, upon the assessed value of all taxable property within the corporate limits of the town.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R323, H1644)

No. 186

An Act To Authorize The Town Council Of The Town Of Jamestown In Berkeley County To Levy An Annual Tax Not Exceeding Twenty Mills Upon All Of The Taxable Property In The Town.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Jamestown—maximum tax levy.—The Town Council of the Town of Jamestown in Berkeley County may levy an annual tax, not exceeding twenty mills, upon the assessed value of all taxable property within the corporate limits of the town.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R324, H1648)

No. 187

An Act To Amend Act No. 221 Of The Acts Of 1953, As Amended, Relating To The Fees And Commissions Of The Master In Spartanburg County, So As To Increase Certain Fees.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 221 of 1953, amended—Subsection (d) added—fees of Master for Spartanburg County.—Section 1 of Act No. 221 of the Acts of 1953, as amended, is further amended by adding a new subsection which shall be subsection (d) to read as follows :

“(d) for every deed or mortgage prepared or executed by him five dollars.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R328, S81)

No. 188

An Act To Provide For An Interstate Compact On Mental Health And For The Administration Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Interstate Compact on Mental Health entered into by this State—provisions of.—The Interstate Compact on Mental Health as set out in this section is enacted into law and entered into by this State with all other states legally joining therein.

The contracting states solemnly agree that :

ARTICLE I

The party states find that the proper and expeditious treatment of the mentally ill and mentally deficient can be facilitated by cooperative action, to the benefit of the patients, their families, and society as a whole. Further, the party states find that the necessity of and desirability for furnishing such care and treatment bears no primary

relation to the residence or citizenship of the patient but that, on the contrary, the controlling factors of community safety and humanitarianism require that facilities and services be made available for all who are in need of them. Consequently, it is the purpose of this compact and of the party states to provide the necessary legal basis for the institutionalization or other appropriate care and treatment of the mentally ill and mentally deficient under a system that recognizes the paramount importance of patient welfare and to establish the responsibilities of the party states in terms of such welfare.

ARTICLE II

As used in this compact:

(a) "Sending state" shall mean a party state from which a patient is transported pursuant to the provisions of the compact or from which it is contemplated that a patient may be so sent.

(b) "Receiving state" shall mean a party state to which a patient is transported pursuant to the provisions of the compact or to which it is contemplated that a patient may be so sent.

(c) "Institution" shall mean any hospital or other facility maintained by a party state or political subdivision thereof for the care and treatment of mental illness or mental deficiency.

(d) "Patient" shall mean any person subject to or eligible as determined by the laws of the sending state, for institutionalization or other care, treatment, or supervision pursuant to the provisions of this compact.

(e) "After-care" shall mean care, treatment and services provided a patient, as defined herein, on convalescent status or conditional release.

(f) "Mental illness" shall mean mental disease to such extent that a person so afflicted requires care and treatment for his own welfare, or the welfare of others, or of the community.

(g) "Mental deficiency" shall mean mental deficiency as defined by appropriate clinical authorities to such extent that a person so afflicted is incapable of managing himself and his affairs, but shall not include mental illness as defined herein.

(h) "State" shall mean any state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

ARTICLE III

(a) Whenever a person physically present in any party state shall be in need of institutionalization by reason of mental illness or mental deficiency, he shall be eligible for care and treatment in an institution in that state irrespective of his residence, settlement or citizenship qualifications.

(b) The provisions of paragraph (a) of this article to the contrary notwithstanding, any patient may be transferred to an institution in another state whenever there are factors based upon clinical determinations indicating that the care and treatment of said patient would be facilitated or improved thereby. Any such institutionalization may be for the entire period of care and treatment or for any portion or portions thereof. The factors referred to in this paragraph shall include the patient's full record with due regard for the location of the patient's family, character of the illness and probable duration thereof, and such other factors as shall be considered appropriate.

(c) No state shall be obliged to receive any patient pursuant to the provisions of paragraph (b) of this article unless the sending state has given advance notice of its intention to send the patient; furnished all available medical and other pertinent records concerning the patient; given the qualified medical or other appropriate clinical authorities of the receiving state an opportunity to examine the patient if said authorities so wish; and unless the receiving state shall agree to accept the patient.

(d) In the event that the laws of the receiving state establish a system of priorities for the admission of patients, an interstate patient under this compact shall receive the same priority as a local patient and shall be taken in the same order and at the same time that he would be taken if he were a local patient.

(e) Pursuant to this compact, the determination as to the suitable place of institutionalization for a patient may be reviewed at any time and such further transfer of the patient may be made as seems likely to be in the best interest of the patient.

ARTICLE IV

(a) Whenever, pursuant to the laws of the state in which a patient is physically present, it shall be determined that the patient should receive after-care or supervision, such care or supervision may be provided in a receiving state. If the medical or other appropriate

clinical authorities having responsibility for the care and treatment of the patient in the sending state shall have reason to believe that after-care in another state would be in the best interest of the patient and would not jeopardize the public safety, they shall request the appropriate authorities in the receiving state to investigate the desirability of affording the patient such after-care in said receiving state, and such investigation shall be made with all reasonable speed. The request for investigation shall be accompanied by complete information concerning the patient's intended place of residence and the identity of the person in whose charge it is proposed to place the patient, the complete medical history of the patient, and such other documents as may be pertinent.

(b) If the medical or other appropriate clinical authorities having responsibility for the care and treatment of the patient in the sending state and the appropriate authorities in the receiving state find that the best interest of the patient would be served thereby, and if the public safety would not be jeopardized thereby, the patient may receive after-care or supervision in the receiving state.

(c) In supervising, treating, or caring for a patient on after-care pursuant to the terms of this article, a receiving state shall employ the same standards of visitation, examination, care, and treatment that it employs for similar local patients.

ARTICLE V

Whenever a dangerous or potentially dangerous patient escapes from an institution in any party state, that state shall promptly notify all appropriate authorities within and without the jurisdiction of the escape in a manner reasonably calculated to facilitate the speedy apprehension of the escapee. Immediately upon the apprehension and identification of any such dangerous or potentially dangerous patient, he shall be detained in the state where found pending disposition in accordance with law.

ARTICLE VI

The duly accredited officers of any state party to this compact, upon the establishment of their authority and the identity of the patient, shall be permitted to transport any patient being moved pursuant to this compact through any and all states party to this compact, without interference.

ARTICLE VII

(a) No person shall be deemed a patient of more than one institution at any given time. Completion of transfer of any patient to an institution in a receiving state shall have the effect of making the person a patient of the institution in the receiving state.

(b) The sending state shall pay all costs of and incidental to the transportation of any patient pursuant to this compact, but any two or more party states may, by making a specific agreement for that purpose, arrange for a different allocation of costs as among themselves.

(c) No provision of this compact shall be construed to alter or affect any internal relationships among the departments, agencies and officers of and in the government of a party state, or between a party state and its subdivisions, as to the payment of costs, or responsibilities therefor.

(d) Nothing in this compact shall be construed to prevent any party state or subdivision thereof from asserting any right against any person, agency or other entity in regard to costs for which such party state or subdivision thereof may be responsible pursuant to any provision of this compact.

(e) Nothing in this compact shall be construed to invalidate any reciprocal agreement between a party state and a non-party state relating to institutionalization, care or treatment of the mentally ill or mentally deficient, or any statutory authority pursuant to which such agreements may be made.

ARTICLE VIII

(a) Nothing in this compact shall be construed to abridge, diminish, or in any way impair the rights, duties, and responsibilities of any patient's guardian on his own behalf or in respect of any patient for whom he may serve, except that where the transfer of any patient to another jurisdiction makes advisable the appointment of a supplemental or substitute guardian, any court of competent jurisdiction in the receiving state may make such supplemental or substitute appointment and the court which appointed the previous guardian shall upon being duly advised of the new appointment, and upon the satisfactory completion of such accounting and other acts as such court may by law require, relieve the previous guardian of power and responsibility to whatever extent shall be appropriate in the circumstances; *provided*, however, that in the case of any

patient having settlement in the sending state, the court of competent jurisdiction in the sending state shall have the sole discretion to relieve a guardian appointed by it or continue his power and responsibility, whichever it shall deem advisable. The court in the receiving state may, in its discretion, confirm or reappoint the person or persons previously serving as guardian in the sending state in lieu of making a supplemental or substitute appointment.

(b) The term "guardian" as used in paragraph (a) of this article shall include any guardian, trustee, legal committee, conservator, or other person or agency however denominated who is charged by law with power to act for or responsibility for the person or property of a patient.

ARTICLE IX

(a) No provision of this compact except Article V shall apply to any person institutionalized while under sentence in a penal or correctional institution or while subject to trial on a criminal charge, or whose institutionalization is due to the commission of an offense for which, in the absence of mental illness or mental deficiency, said person would be subject to incarceration in a penal or correctional institution.

(b) To every extent possible, it shall be the policy of states party to this compact that no patient shall be placed or detained in any prison, jail or lockup, but such patient shall, with all expedition, be taken to a suitable institutional facility for mental illness or mental deficiency.

ARTICLE X

(a) Each party state shall appoint a "compact administrator" who, on behalf of his state, shall act as general coordinator of activities under the compact in his state and who shall receive copies of all reports, correspondence, and other documents relating to any patient processed under the compact by his state either in the capacity of sending or receiving state. The compact administrator or his duly designated representative shall be the official with whom other party states shall deal in any matter relating to the compact or any patient processed thereunder.

(b) The compact administrators of the respective party states shall have power to promulgate reasonable rules and regulations to carry out more effectively the terms and provisions of this compact.

ARTICLE XI

The duly constituted administrative authorities of any two or more party states may enter into supplementary agreements for the provision of any service or facility or for the maintenance of any institution on a joint or cooperative basis whenever the states concerned shall find that such agreements will improve services, facilities, or institutional care and treatment in the fields of mental illness or mental deficiency. No such supplementary agreement shall be construed so as to relieve any party state of any obligation which it otherwise would have under other provisions of this compact.

ARTICLE XII

This compact shall enter into full force and effect as to any state when enacted by it into law and such state shall thereafter be a party thereto with any and all states legally joining therein.

ARTICLE XIII

(a) A state party to this compact may withdraw therefrom by enacting a statute repealing the same. Such withdrawal shall take effect one year after notice thereof has been communicated officially and in writing to the governors and compact administrators of all other party states. However, the withdrawal of any state shall not change the status of any patient who has been sent to said state or sent out of said state pursuant to the provisions of the compact.

(b) Withdrawal from any agreement permitted by Article VII (b) as to costs or from any supplementary agreement made pursuant to Article XI shall be in accordance with the terms of such agreement.

ARTICLE XIV

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state party thereto, the compact shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

SECTION 2. State Director of Mental Health to be compact administrator—powers and duties.—Pursuant to the compact, the State Director of Mental Health shall be the compact administrator and, acting jointly with like officers of other party states, shall have power to promulgate rules and regulations to carry out more effectively the terms of the compact. The compact administrator shall cooperate with all departments, agencies and officers of and in the government of this State and its subdivisions in facilitating the proper administration of the compact and any supplementary agreement or agreements entered into by this State thereunder.

SECTION 3. Administrator—make agreements with other states.—The compact administrator may enter into supplementary agreements with appropriate officials of other states pursuant to Articles VII and XI of the compact. In the event that such supplementary agreements shall require or contemplate the use of any institution or facility of this State or require or contemplate the provision of any service by this State, no such agreement shall have force or effect until approved by the head of the department or agency under whose jurisdiction such institution or facility is operated or whose department or agency will be charged with the rendering of such service.

SECTION 4. Payment of obligations.—The compact administrator, subject to the approval of the State Budget and Control Board, may make or arrange for any payments necessary to discharge any financial obligations imposed upon this State by the compact or by any supplementary agreement entered into thereunder.

SECTION 5. Consult with family of transferee—approval of probate court required.—The compact administrator shall consult with the immediate family of any proposed transferee and, in the case of a proposed transferee from an institution in this State to an institution in another party state, shall take no final action without approval of the probate court having jurisdiction of such transferee.

SECTION 6. Copies of act to be sent to other states.—Duly authorized copies of this act shall, upon its approval, be transmitted by the Secretary of State to the Governor of each state, the Attorney General and the Administrator of General Services of the United States, and the Council of State Governments.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R330, S140)

No. 189

An Act To Regulate The Sale, Possession, Storage And Use Of Fireworks; To Provide A License Fee For Wholesalers And Retailers Selling Same; And To Provide A Penalty For Violating The Provisions Hereof And To Repeal Sections 66-551 Through 66-557, Code Of Laws Of South Carolina, 1952, Relating To Fireworks.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain fireworks unlawful.—It shall be unlawful for persons to possess, sell, offer for sale, store, transport, or use, within the State of South Carolina, any fireworks other than the permissible fireworks herein enumerated. The permissible fireworks consist of ICC Class C, "Common Fireworks" only, and shall mean such articles of fireworks as are enumerated as ICC Class C, "Common Fireworks" in the regulations of the Interstate Commerce Commission for the transportation of explosives and other dangerous articles and shall include the following:

- (a) Roman candles whose total pyrotechnic composition shall not exceed twenty grams each in weight;
- (b) Bottle type rockets whose total pyrotechnic composition shall not exceed twenty grams each in weight;
- (c) Cylindrical fountains whose total pyrotechnic composition shall not exceed seventy-five grams each in weight and whose inside diameter shall not exceed three-fourths inch;
- (d) Cone fountains whose total pyrotechnic composition shall not exceed fifty grams each in weight;
- (e) Wheels whose total pyrotechnic composition shall not exceed sixty grams in weight, for each driver unit, but there may be any number of drivers on any one wheel and the inside bore of driver tubes shall not be over one-half inch;
- (f) Illuminating torches and colored fire in any form whose total pyrotechnic composition shall not exceed one hundred grams each in weight;

(g) Sparklers whose total pyrotechnic composition shall not exceed one hundred grams each in weight;

Pyrotechnic composition containing any chlorate or perchlorate shall not exceed five grams.

(h) Firecrackers and salutes with casings, the external dimensions of which do not exceed one and one-half inches in length and one-quarter inch in diameter, and other items designed to produce an audible effect, total pyrotechnic composition not to exceed two grains each in weight; and

(i) Items composed of a combination of two or more articles or devices of the above enumerated approved items.

No component of any device listed in this section, which is designed to produce an audible effect shall contain pyrotechnic composition in excess of two grains in weight excluding propelling or expelling charges, and all other fireworks not enumerated in Section 1 are declared contraband, except as herein provided.

SECTION 2. Lawful fireworks to be properly identified.—No permissible articles of common fireworks enumerated in Section 1 shall be sold, offered for sale, *possessed, stored or used*, in the State unless it shall be properly named to conform to the nomenclature of Section 1 hereof and unless it is certified as “Common Fireworks” on all shipping cases and by imprinting on the article to be of sufficient size and so positioned as to be readily recognized by law enforcement authorities and the general public.

SECTION 3. Fireworks not to include toy pistols, etc.—The term “fireworks” shall not include toy paper pistol caps which contain less than twenty-five hundredths grains of explosive compounds, toy pistols, toy canes, toy guns or other devices using paper caps and the sale and use of these items shall be permitted at all times.

SECTION 4. Storage of fireworks by wholesalers.—Fireworks to be sold at wholesale shall be stored in a room set aside for the storage of fireworks only. Over the entrance to this room shall be posted a sign reading, “FIREWORKS—NO SMOKING—KEEP OPEN FLAMES AWAY.”

SECTION 5. Fireworks not to be kept near certain flammable substances.—Fireworks shall not be sold or kept for sale in a place of business where paint, oils, varnishes, turpentine or gasoline or other flammable substances are kept in unbroken containers, unless in a separate and distinct section or department of the store.

SECTION 6. Handling of fireworks by retailers.—All retailers are forbidden to expose fireworks where the sun shines through glass on the merchandise displayed, except where such fireworks are in the original package, and all fireworks kept for sale on front counters must remain in original packages, except where an attendant is on constant duty at all times at counters where such fireworks are on display. *Provided*, however, that fireworks in open stock may be kept in show cases or counters out of the reach of the public without an attendant being on duty. Signs reading “FIREWORKS FOR SALE—NO SMOKING ALLOWED” shall be displayed in the section of the store set aside for the sale of fireworks.

SECTION 7. Certain acts unlawful concerning fireworks.—It shall be unlawful:

(a) to offer for sale or to sell permissible fireworks to children under the age of fourteen years unless accompanied by a parent;

(b) to explode or ignite fireworks within six hundred feet of any church, hospital, asylum or public school;

(c) to explode or ignite fireworks within seventy-five feet of where fireworks are stored, sold or offered for sale;

(d) to ignite or discharge any permissible fireworks within or throw the same from any motor vehicle; and

(e) to place or throw any ignited fireworks into or at any motor vehicle.

SECTION 8. Not to apply to fireworks to be used for public displays.—Nothing in this act shall apply:

(a) to the shipping, sale, possession and use of fireworks for public displays; and such items of fireworks which are to be used for public display only and which are otherwise prohibited for sale and use within the state shall include display shells designed to be fired from mortars and display set pieces of fireworks classified by the regulations of the Interstate Commerce Commission as “Class B Special Fireworks” and shall not include such items of Commercial fireworks as Cherry Bombs, Tubular Salutes, Repeating Bombs, Aerial Bombs and Torpedoes;

(b) to the manufacture, storage, sale or use of signals necessary for the safe operation of railroads or other public or private transportation;

(c) to illuminating devices for photographic use;

- (d) to the military or naval forces of the State or United States;
- (e) to peace officers; and
- (f) to the sale or use of blank cartridges for ceremonial, theatrical or athletic events nor as applying to the transportation or use of fireworks solely for agricultural purposes.

Any person desiring to hold a public display of fireworks shall first secure from the governing body of the municipality or the county, in which the display is to be held, a written permit to hold such display at least ten days prior to the date of the display.

SECTION 9. Not unlawful to manufacture fireworks—conditions—unlawful if forbidden by Interstate Commerce Commission.—It shall not be unlawful to manufacture the items of fireworks that are otherwise illegal, providing the manufacturer secures a written permit from the Department of Labor of the State of South Carolina to manufacture items of fireworks that are otherwise prohibited for possession, sale, or use, providing the same are to be shipped directly out of the State or are to be used solely by persons holding a permit for public display. No manufacturer may store illegal fireworks in the same building where legal merchandise is being offered for sale, to wholesalers or retailers. Nothing in this act shall be construed as prohibiting continuous interstate commerce through the State of South Carolina into another state, of any item of fireworks permitted for shipment by the regulations of the Interstate Commerce Commission. It shall be unlawful to ship into, through, possess, sell or use, under any circumstances any article of fireworks that is forbidden for transportation by the Interstate Commerce Commission regulations for transportation for explosives and other dangerous articles.

SECTION 10. Wholesalers and retailers must purchase licenses.—Each wholesale distributor of fireworks in this State shall be required to purchase an annual license from the South Carolina Tax Commission at a cost of seven hundred and fifty dollars per year. A wholesale distributor is defined as a person or firm selling fireworks to licensed jobbers or licensed retailers. Each jobber selling fireworks in this State shall be required to purchase an annual license from the South Carolina Tax Commission at a cost of two hundred and fifty dollars per year. A jobber is defined as a person or firm selling fireworks to licensed retailers. Each retailer shall be required to procure from the clerk of court of the county in which he intends

to do business an annual license at a cost of one dollar per year which shall authorize the licensee to sell permissible fireworks. No person or firm may be issued a retail license who is not already licensed by the South Carolina Tax Commission for sales tax purposes and who has not held such sales tax license from the State Tax Commission for at least sixty days. The respective licenses shall be issued on such form or forms as the South Carolina Tax Commission may determine. No wholesaler shall be allowed to sell fireworks to any non-licensed jobber or retailer and the records of all retailers, jobbers and wholesalers shall be open for inspection by authorized officials to check sales or purchases.

SECTION 11. Penalties.—Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than one hundred dollars or imprisoned for not more than thirty days or both in the discretion of the court.

SECTION 12. Repeal—Section 66-551 through 66-557, 1952 Code, repealed.—Sections 66-551 through 66-557, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect July 1, 1959.

Approved the 12th day of May, 1959.

(R333, H1489)

No. 190

An Act To Amend Sections 14-1958 And 14-1959, Code Of Laws Of South Carolina, 1952, Relating To The Purchase And Advertisement For Purchase Of Supplies, Etc. For Florence County, So As To Make Further Provisions For Such Advertisement.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-1958, 1952 Code, amended—Section 14-1959 not to apply to certain purchases from State.—Section 14-1958, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: “*Provided*, that the provisions of

Section 14-1959 shall not apply to purchases from the Purchasing and Property Division of the State Budget and Control Board or from the South Carolina State Highway Department."

SECTION 2. Section 14-1959, 1952 Code, amended—Florence County to purchase by bids—exceptions.—Section 14-1959, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 14-1959. Each three months the governing board of the county shall advertise for at least two weeks in at least two issues of one or more newspapers in the county, or in such newspapers as will most likely give notice to the people dealing in the supplies, commodities, equipment or machinery to be purchased, for bids based on delivery at Florence courthouse or any other designated location for all supplies, implements, equipment, material and machinery of whatever kind that may be requisite or necessary for the county and each and every office or department thereof, including convicts, roads, bridges and for every other purpose. Such advertisement shall set forth the article and approximately the amount thereof to be purchased. Contracts shall be awarded to the lowest bidder for three months, and supplies under the contract shall be ordered out as needed by the county manager. But in a case of emergency the county manager may make a purchase for the county if the cost thereof does not exceed fifty dollars, and in the event of such a purchase the county manager shall certify upon the claim therefor, the emergency requiring it. But in a case of emergency an advertisement as hereinabove provided may be published at any time. All contracts to purchase supplies, equipment and machinery shall be in accordance with the provisions of this section, and no bill, account or claim of any kind whatsoever against the county shall be paid unless previously contracted for by such competition or by the county manager in a case of specified emergency. *Provided*, that in the advertisement of any article pursuant to the provisions of this section, such article shall not be so described as to limit the purchase to one that can be complied with by only one manufacturer, agent, broker or salesman, if similar or approximately similar products, machinery, implements, material or equipment of other manufacturers, agents, brokers or salesmen will suffice or perform the same or approximately the same function. *Provided*, further, that the provisions of this section shall not apply to purchases from the Purchasing and Property Division of the State Budget and Control Board or from the South Carolina State Highway Department.

And in the event a local distributor, supplier or merchant submits a bid that is equal to or less than the price for which the same or similar equipment, supplies or material can be obtained from the State Budget and Control Board or State Highway Department, the bid of the local distributor, supplier or merchant will be accepted. *Provided*, further, that advertisement for foodstuffs shall be made once each month. *Provided*, that the requirements for advertisement for competitive bids will not be required for the purchase of repair parts for heavy machinery and equipment when in the opinion of the county manager an emergency requires such action."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R335, H1606)

No. 191

An Act To Amend Item (5) Of Section 38-308, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Compensation Of Jurors In Horry County, So As To Further Provide Therefor; To Provide For The Office Of Paymaster For Jurors And Witnesses In Horry County, For General Sessions Court Only; To Provide For The Compensation Of Witnesses In The Court Of General Sessions In Horry County; And To Provide For The Signing Of Certificates For Juror And Witness Fees In Horry County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 5 of Section 38-308, 1952 Code, amended—**Horry County jurors excused at own request to receive mileage only.**—Item (5) of Section 38-308, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: "If any juror is excused from jury service at his own request he shall not be paid compensation as a juror but shall only be entitled to receive compensation for mileage."

SECTION 2. Office of Paymaster created for General Sessions Court in Horry County.—There is hereby created the office of Pay-

master for Horry County for General Sessions Court only, who shall be charged with preparing certificates for jurors and witness fees. The Paymaster shall be appointed by the Clerk of Court of Horry County, upon the approval of the County Board of Commissioners and shall receive such compensation as may be set by the County Board of Commissioners.

SECTION 3. Compensation of witnesses in General Sessions Court in Horry County.—All witnesses as now provided by law, in the Court of General Sessions in Horry County shall be paid one dollar per day for their services, and mileage at the rate of five cents per mile going to and returning from court. No witness shall receive mileage for more than one round trip going to and returning from court during any one term of court. No witness shall receive compensation for his services unless he shall daily present his subpoena to the Paymaster, who shall daily initial and date such subpoena upon presentation by the witness, and such witness shall be paid in accordance with the dates appearing on the subpoena as initialed by the Paymaster.

SECTION 4. Signatures required on certificates for jurors and witness fees in Horry County.—All certificates issued for jurors and witness fees for Horry County shall be signed by the Clerk of Court for Horry County, or his deputy, and countersigned by the Clerk of the County Board of Commissioners, or the chairman of the County Board of Commissioners.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

An Act To Amend Section 47-1536, Code Of Laws Of South Carolina, 1952, As Amended, Describing The Wards In The City Of Cayce In Lexington County, So As To Eliminate One Ward And To Define The Boundaries Of The Remaining Two Wards.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-1536, 1952 Code, amended—City of Cayce to have two wards—areas defined.—Section 47-1536, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 47-1536. The City of Cayce in Lexington County is hereby divided into two wards, described as follows :

(a) Ward One shall consist of all that territory embraced within the municipal limits of Cayce, which lies south of a line commencing at a point on the western banks of the Congaree River, directly east of and in line with the southern boundary of Clark Street were it projected ; thence in a westerly direction to the eastern side of State Street ; thence in a southerly direction along the eastern boundary of State Street to Holland Avenue ; thence along the southern boundary of Holland Avenue to a point of intersection with the southern boundary of Dunbar Road ; thence southwesterly along the southern boundary of Dunbar Road to its intersection with Glenn Street ; and thence along the southern boundary of Glenn Street ; thence following the Cayce City limits to the westernmost portion of such city limits on Glenn Street.

(b) Ward Two shall consist of all that territory embraced within the municipal limits of the City of Cayce which lies north of the line designated in subsection (a) of this section.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

An Act To Amend Section 47-313, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Election Of The Mayor And Councilmen Of The City Of Cayce, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 47-313, 1952 Code, further amended—City of Cayce to have mayor and four councilmen—election—terms—vacancies.—Section 47-313, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 47-313. The City of Cayce shall have a mayor who shall be elected by the qualified electors of the city at large for a term of four years, and until his successor has been elected and qualifies; and four councilmen, two of whom shall be residents of each of the two wards of the city, for terms of four years, and until their successors have been elected and qualify. The councilmen shall be elected by the qualified electors at large. Should a councilman from any particular ward move from that ward during his term of office, the office shall be declared vacant and the city council shall call an election to fill such vacancy for the unexpired term. In like manner, should any vacancy occur for any cause the city council shall call an election to fill such vacancy, and it shall be filled as provided for the original term. The election shall be held on the fourth Tuesday in June in each even-numbered year. *Provided*, that in the municipal election in June of 1960 one councilman shall be elected from each ward, and in the election of 1962 one councilman shall be elected from each ward, so as to permit all councilmen presently serving to complete their present terms.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R340, H1645)

No. 194

An Act To Amend Section 65-1523, Code Of Laws Of South Carolina, 1952, As Amended, So As To Exempt Property Of Anderson College Investment Corporation, An Eleemosynary Corporation In Anderson County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 65-1523, 1952 Code, further amended—property of Anderson College Investment Corporation exempt

from taxes.—Section 65-1523, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following:

“Provided, that all property owned by the Anderson College Investment Corporation, an eleemosynary corporation existing for the benefit of Anderson College, a Junior College in the City and County of Anderson, South Carolina, shall be exempt from all county, municipal or school taxes.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R344, H1682)

No. 195

An Act To Amend Act No. 47 Of 1955 Requiring Building Permits In Beaufort County, So As To Further Extend Such Requirements.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 47 of 1955, amended—when act requiring building permits in Beaufort County not to apply.—Section 3 of Act No. 47 of 1955 is amended to read as follows:

“Section 3. The provisions of this act shall not apply to: (a) any building or alteration where the cost is two hundred fifty dollars or less; (b) any construction or alteration of any building in a city in the county now requiring a building permit; (c) any building or alteration that may be done by the State, county or municipal government.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R346, S60)

No. 196**An Act To Provide That Certain Confidential Communications Made To Ministers, Priests Or Rabbis Shall Be Privileged Communications.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Ministers, Priests and Rabbis not required to disclose certain information.—In any legal or quasi-legal trial, hearing or proceeding before any court, commission or committee no regular or duly ordained minister, priest or rabbi shall be required, in giving testimony, to disclose any confidential communication properly entrusted to him in his professional capacity and necessary and proper to enable him to discharge the functions of his office according to the usual course of practice or discipline of his church or religious body. This prohibition shall not apply to cases where the party in whose favor the same is made waives the rights conferred.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R347, S79)

No. 197**An Act To Amend Section 10-2551, Code Of Laws Of South Carolina, 1952, Relating To Payment Of Money Due Minors, So As To Provide For Payment Due Other Incompetents.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-2551, 1952 Code, amended—guardians or committees not necessary for payment of certain monies to minors and other incompetents.—Section 10-2551, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 10-2551. When (1) a minor or other incompetent becomes entitled to a sum of money not exceeding one thousand dollars in the settlement of an estate or under the judgment, order or decree of any court, (2) such minor or other incompetent has no general or

testamentary guardian or committee to whom such sum may be paid and (3) such minor's or other incompetent's estate, however derived, is in the judgment of the court in which the settlement is made or the judgment, order or decree is rendered too small to warrant the expense of the appointment of a guardian or committee, such court or the judge thereof may make an order for the same to be paid the minor or other incompetent or the father or mother of such minor or other incompetent, or if the father and mother be dead, to some other person for the benefit of such minor or other incompetent as to such court or judge may seem best."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R348, S171)

No. 198

An Act To Amend Section 2 Of Act No. 774 Of The Acts Of 1958, Which Requires The Forfeited Land Commission In Colleton County To Give Notice Of Certain Sales, So As To Authorize The Commission To Sell Lands To Any Governmental Agency Of South Carolina, Or Any Industrial Or Commercial Enterprise Recommended By The Colleton County Development Board, Without Giving Any Notice.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 774 of 1958 amended—notice of sale required—exceptions.—Section 2 of Act No. 774 of the Acts of 1958 is amended to read as follows:

"Section 2. The Forfeited Land Commission of Colleton County shall give at least two weeks public notice of any property to be sold by the commission before such sale shall become valid. In the event public notice required by this act is not given, such subsequent sale or sales shall be void and invalid. The commission may negotiate with and sell to any governmental agency of South Carolina, or any industrial or commercial enterprise recommended by the Col-

leton County Development Board, with the approval of a majority of the Legislative Delegation any lands to which it has title and authority of alienation without being subject to this act.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R349, S191)

No. 199

An Act To Prohibit Traffic In Fresh Water Trout Except Trout Produced In Privately Owned Hatcheries, To Regulate Traffic In Fresh Water Trout Raised In Such Privately Owned Hatcheries, And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sale of fresh water trout illegal—exceptions.—It shall be illegal to sell, offer for sale, barter or otherwise traffic in any Rainbow trout, Brown trout, Brook trout or any other species of fresh water trout in the State of South Carolina. *Provided*, however, that artificially reared, properly tagged, labeled, stamped or otherwise marked trout produced in a privately owned hatchery may be sold subject to the conditions herein provided and subject to such additional rules and regulation as may be promulgated by the Director of the Division of Game of the Wildlife Resources Department.

SECTION 2. Information required on trout shipped into the State.—When any trout are sold or shipped into this State, the shipper or seller shall furnish the Wildlife Resources Department with a copy of the invoice showing the number and weight of the trout so shipped or sold and to whom said trout were shipped or sold.

SECTION 3. Trout sold in State to be properly marked.—Before any trout may be sold or shipped within the State of South Carolina, each fish must be tagged, labeled, marked or stamped giving the following information : the hatchery in which such fish was produced, its

location and address, and the species of trout. This information must not be removed from the fish until the time of cooking.

SECTION 4. Responsibility of eating establishments—inspection of menus.—Operators of restaurants, cafes, or other type eating establishments and retail markets shall be responsible to the South Carolina Wildlife Resources Department for any violation of the provisions of this act on their premises. All such establishments shall be subject to inspection by agents of the Wildlife Resources Department at any time and any trout not individually marked according to the provisions of Section 3 of this act and for which an invoice is not available shall be confiscated and the operator prosecuted. All menus must contain the fact that the trout are from privately owned hatcheries.

SECTION 5. Director of Division of Game may issue rules and regulations.—The Director of the Division of Game may from time to time issue additional rules and regulations to further control the shipment and sale of trout in South Carolina.

SECTION 6. Advertisements required of eating establishments.—All operators of retail markets or restaurants, cafes, or other eating establishments must advertise conspicuously that the trout are imported and artificially reared. *Provided*, that if the trout are reared in a hatchery within the State the advertisement must state the name and location of such hatchery.

SECTION 7. Penalties.—Any person who violates any provision provided for herein shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or imprisonment of not less than fifteen nor more than thirty days. Each violation of this act shall constitute a separate offense.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R350, S193)

No. 200

An Act To Establish A County Board Of Health In Beaufort County, To Set Forth Its Powers And Duties, And To Further Provide For The Beaufort County Health Department.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. County Board of Health created for Beaufort County.—There is hereby created the County Board of Health for Beaufort County. The board shall be under the same direction and control as the State Board of Health as is provided by law for local boards of health in incorporated cities and towns.

SECTION 2. Members—appointments—terms—vacancies.—The county board of health shall consist of seven bona fide residents of Beaufort County who shall be appointed by the Governor upon the recommendation of a majority of the County Legislative Delegation, including the Senator. Of the members appointed initially, one shall be appointed to serve for a term of one year, two for a term of two years, two for a term of three years and two for a term of four years, or until their successors are duly appointed and qualify, after which their successors shall be appointed for regular terms of four years. Vacancies on the board shall be filled for the unexpired term in the same manner as the initial appointments. No member who has served for a period of four consecutive years shall be eligible for reappointment for a period of one year following the termination of his previous term.

SECTION 3. Initial meeting—chairman.—The chairman of the governing body of the county shall, as soon as practicable, call a meeting of the board for the purpose of electing a chairman, who shall serve for a period of one year or until his successor shall have been elected and annually thereafter a chairman shall be elected to serve for a period of one year.

SECTION 4. Powers and duties.—The county board of health is hereby vested with all powers, rights, duties, privileges and responsibilities imposed by law upon local boards of health in incorporated cities and towns in Beaufort County and such other duties as may be prescribed by this act.

SECTION 5. Executive secretary—duties.—The director or administrator of the county health department shall be executive secre-

tary of the Beaufort County Board of Health and shall be custodian of books, papers, instruments and all appliances belonging to the board. He shall attend all of the meetings of the board, unless otherwise ordered, and shall discharge all of the duties appertaining to the office of executive secretary of the board.

SECTION 6. Meetings—reports.—The county board of health shall meet for the transaction of its business at stated periods of not less than once a month and such other times as the chairman or a majority of the board may determine. At such meetings the director or administrator of the county health department shall render a report of the activities of his department to the board and a copy of such report shall be submitted to the governing body of the county and to the City Council of Beaufort. The director or administrator shall likewise make such proper reports to the State Board of Health as may be required by law or the rules, regulations and orders of the State Board of Health.

SECTION 7. Powers and duties—further.—In carrying out the duties imposed upon it, the county board of health shall control and direct the activities of the county health department through the director or administrative head of such department. The county health department is charged with all the duties or functions normally exercised by county health departments in keeping with the policies established by the State Board of Health.

SECTION 8. Employment of personnel — compensation of.—Should the needs of the county require it, additional personnel for the department shall be appointed and employed by the director or administrator with the consent of the county board of health, except that all persons employed in the county health department shall be subject to all the provisions of the merit system of the State Board of Health. Any personnel employed for exclusive service in any incorporated city or town in Beaufort County shall be paid by city or town receiving such services, but nothing contained herein shall be construed to prevent the compensation of any employees of the Beaufort County Health Department from being supplemented by funds made available from any other sources.

SECTION 9. Powers and duties—further.—The rights, powers, duties and privileges imposed or granted to the county health department by rule, regulation or ordinance shall relate only to the

direction, control and supervision of public health and matters pertaining to public health, not relating however, to nuisances or financial responsibilities of maintaining water supplies and sewage disposal plants. Any municipality or incorporated town or village having a water supply or sewage disposal system shall maintain the same in a proper and suitable manner. The collection of garbage and cleaning of streets and vacant lots of any municipality in the county shall not be a part of the duties of the county health department.

SECTION 10. Municipalities may elect to come under provisions of this act.—If any municipal corporation within the county wishes to join with the county health department and be under the control and direction of the county board of health and the county health department, it shall pass an ordinance so stating and copy of this ordinance shall be filed with the Secretary of State. If any of the municipal corporations of the county so join and be under the authority of the county board of health and the county health department, all rights, duties, powers and privileges and responsibilities that are imposed by law upon such local boards of health in incorporated cities and towns of the county shall cease to be of force and effect and all such incorporated cities and towns, shall be under control, direction and provision of this act.

SECTION 11. Act not to apply to certain municipal water or sewage boards or commissions.—If any city or town shall have a commission or board in charge of a water supply or sewage disposal plant, nothing in this act shall take away from such board or commission their rights, powers and responsibilities.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

plicable To Real And Personal Property And To Change The Date Such Property Must Be Owned Or Controlled By The Person Making The Return; And To Change The Date Upon Which First Liens Shall Attach To Real and Personal Property For Taxes To Be Paid During The Ensuing Year.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1644, 1952 Code, amended—when returns of property to be made—transfers of property—Marlboro County may use special form.—Amend Section 65-1644, Code of Laws of South Carolina, 1952, as amended, on line 6 by striking the word “the” before the word “personal” and inserting in lieu thereof the words “real and” and by striking on line 7 the words “first day of January of each year” and inserting in lieu thereof the following: “thirty-first day of December next preceding” and by striking on line 9 the words “first day of January” and inserting in lieu thereof the following: “thirty-first day of December”, so that when further amended such section shall read as follows :

“Section 65-1644. Every person required by law to list property shall, annually, between the first day of January and the first day of March, make out and deliver to the auditor of the county in which the property is by law to be returned for taxation a statement, verified by his oath, of all the real estate which has been sold or transferred since the last listment of property for which he was responsible and to whom and of all real and personal property possessed by him, or under his control, on the thirty-first day of December next preceding, either as owner, agent, parent, husband, guardian, executor, administrator, trustee, receiver, officer, partner, factor or holder with the value thereof, on such thirty-first day of December, at the place of return, estimating according to the rules prescribed by law, except that the returns of corn, cotton, wheat, oats, rice, peas and long forage, made on the day specified by law, shall be the amounts actually on hand in the hands of the producer thereof on the first day of August, immediately preceding the date of such return. *Provided*, further that returns of property in the County of Marlboro may be made upon a special form furnished by the county through its county board of assessors and approved by the Comptroller General.”

SECTION 2. Section 65-2702, 1952 Code, amended—when first lien to attach—procedure for collecting taxes when property is

being removed.—Section 65-2702, Code of Laws of South Carolina, 1952, as amended by Act No. 241 of the Acts of 1957, is further amended by striking at the beginning thereof the following: “As soon as any property is listed with the county auditor or with any municipal clerk or other proper official in this State, for taxes, such tax assessment shall immediately become a first lien on such property.”, and inserting in lieu thereof the following: “As of December thirty-first a first lien shall attach to all real and personal property for taxes to be paid during the ensuing year”, so that when further amended such section shall read as follows:

“Section 65-2702. As of December thirty-first a first lien shall attach to all real and personal property for taxes to be paid during the ensuing year and in case such property is about to be removed from the State by bankruptcy proceedings or otherwise or is about to be taken from the jurisdiction of the county before taxes are due in the county and payable for any year the treasurer of such county shall immediately issue his execution on such property and the sheriff of the county shall proceed to collect the taxes due on such property.”

SECTION 3. Certain deductions for income tax purposes not to be allowed.—The provisions of this act are not intended to allow a deduction for income tax purposes under the provisions of the income tax act of 1926, as amended, to any taxpayer for property taxes paid or accrued in excess of an amount equal to an assessment for any one year. *Provided*, that no taxpayer shall be denied a deduction for all taxes paid where more than one year's taxes are paid for reasons other than the change of assessment date.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R353, S255)

No. 202**An Act Requiring Vital Statistics Reports In Colleton County, Now Filed In The Clerk Of Court's Office, To Be Hereafter Filed With The County Health Department.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Colleton County—vital statistics reports to be filed with health department.—From and after the effective date of this act, all persons, now by law required to file vital statistics reports in the office of the Clerk of Court in Colleton County, shall file the same instead with the Colleton County Health Department, which department shall keep and preserve the reports as a public record as now required of the clerk of court.

SECTION 2. Clerk of Court to transfer records—issuance of copies—fees.—Vital statistics reports, now in the custody of the clerk of court, shall be transferred to the custody of the Colleton County Health Department. The Colleton County Health Department is authorized and directed to issue copies of these reports to any person requesting same and to use an impression seal. All fees, relating to vital statistics reports authorized by law, shall be collected by the county health department and turned over monthly to the county treasurer to be deposited in the general fund of the county.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R354, S259)

No. 203**An Act To Amend Act No. 783 Of The Acts And Joint Resolutions Of 1956, Relating To The Election Of Trustees Of School Districts In Barnwell County, So As To Remove The Exclusion Of The Williston District Therefrom.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 783 of 1956, amended—election of school trustees in Barnwell County—when candidates to qualify.—Section 1 of Act No. 783 of the Acts of 1956 is amended by striking from the end thereof the following: “*Provided*, further, that the provisions of this act shall not apply to the Williston District.” so that, when so amended, Section 1 shall read as follows: “Section 1. Act No. 21, of the Acts and Joint Resolutions of the General Assembly of South Carolina, 1947, is amended by adding at the end of Section 1 the following proviso: ‘*Provided*, that candidates for the office of trustee shall qualify at least thirty days prior to the election by filing notice with the clerk of the appropriate Board of Trustees, unless such clerk is himself a candidate, in which case notice shall be filed with the chairman of the Board.’ ”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R358, S121)

No. 204

An Act To Amend Subsection (a) Of Section 93 Of Act No. 898 Of The Acts Of 1952, Relating To The Hunting Of Male Wild Turkeys In Game Zone 7, So As To Provide For Open Seasons For The Hunting Of Male Wild Turkeys.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (a) of Section 93 of Act 898 of 1952, amended—turkey season in Game Zone 7.—Subsection (a) of Section 93 of Act No. 898 of the Acts of 1952 is amended to read as follows :

“(a) The open season for the hunting of male wild turkeys shall be from the day before Thanksgiving to the Saturday after Thanksgiving, inclusive, from December twenty-fourth to January first, inclusive, and from March fifteenth to April fifteenth, inclusive.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R359, S239)

No. 205

An Act To Amend Section 8-8, Code Of Laws Of South Carolina, 1952, Relating To The Defense Of Usury As Available To Corporations, So As To Abrogate Such Defense For Certain Corporations In Respect To Interest, Discount And Other Charges And To Protect The Lender From The Terms Of Section 8-9, Code Of Laws Of South Carolina, 1952.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 8-8, 1952 Code, amended—defense of usury not available to certain corporations—Section 8-9 not to apply to certain lenders.—Section 8-8, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 8-8. No corporation lawfully organized to engage in business for profit and having an issued capital stock of forty thousand dollars or more as shown in its last annual report as filed with the South Carolina Tax Commission, pursuant to Act No. 242 of 1953, shall by way of defense or otherwise avail itself of any of the provisions of Sections 8-2, 8-3, 8-5, 8-7, or 8-9, Code of Laws of South Carolina, 1952, to avoid or defeat the payment of any interest, discount, or charges which it has agreed upon, allowed, or contracted to pay in respect of any obligation for money borrowed, nor shall the lender be subject to Section 8-9, Code of Laws of South Carolina, 1952, where the loan is to a corporation.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R360, S312)

No. 206

An Act Exempting From Taxation The Property Of The Trustees Of Pee Dee Presbytery, In Marlboro County, So Long As The Same Is Used For Camp And Religious Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Pee Dee Presbytery in Marlboro County exempt from taxes.—The property owned by the Trustees of Pee Dee Presbytery, in Marlboro County, shall be exempt from all county taxes so long as it is used for camp and religious purposes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R361, S189)

No. 207

An Act To Amend Act No. 836 Of 1952, As Amended, Relating To The Hospitalization Of The Mentally Ill, So As To Further Define The Powers And Duties Of The Mental Health Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (c) of Section 3, Article I, of Act 836 of 1952, further amended—powers and duties of Mental Health Commission.—Subsection (c) of Section 3, Article I, of Act No. 836 of 1952, as amended, is further amended to read as follows :

“(c) It shall have charge of all State mental health facilities and shall have sole charge of the regulation, licensing and inspection of all hospitals or other institutions in this State insofar as they are equipped to provide in-patient care, treatment or training for the mentally ill, mentally defective, epileptic, drug addicted or alcoholic.”

SECTION 2. Act not to apply to Whitten Village.—The provisions of this act shall not apply to Whitten Village nor shall this act affect Whitten Village in any manner.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R362, S237)

No. 208

An Act To Amend Section 65-601, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Annual Reports By Certain Corporations To The South Carolina Tax Commission, So As To Make The Provisions Thereof Applicable To All Corporations Organized To Do Business For Profit In This State And All Corporations Organized To Do Business In Other States, Territories And Countries.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-601, 1952 Code, amended—corporations to make reports to Tax Commission.—Section 65-601, Code of Laws of South Carolina, 1952, as amended, is further amended, to read as follows :

“Section 65-601. Every corporation organized under the laws of South Carolina to do business for profit and every corporation organized to do business under the laws of any other state, territory or country and qualified to do business in South Carolina shall, in addition to any and all other requirements of law, make a report annually to the Tax Commission on or before the last day of March in such form as may be prescribed by the Tax Commission containing such information and facts as the Commission may require for the administration of the provisions of this chapter.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect on and after January 1, 1960.

Approved the 18th day of May, 1959.

(R363, S266)

No. 209

An Act To Amend Sections 1 And 2 Of Act No. 259 Of The Acts Of 1957, Relating To Temporary Fishing Licenses For Non-Residents, So As To Increase The Cost And The Period Of Time For Which Same May Be Used.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 259 of 1957, amended—temporary fishing licenses for nonresidents—fee—proceeds.—Section 1 of Act No. 259 of the Acts of 1957 is amended to read as follows:

“Section 1. In lieu of obtaining regular annual nonresident fishing license now provided for by law, a nonresident of this State may procure a temporary nonresident license for the purpose of fishing for game fish or other fish in South Carolina. The fee for such license shall be three dollars and ten cents. Of this amount ten cents shall be retained by the agent selling a license and three dollars shall be remitted by such agent to the Division of Game of the South Carolina Wildlife Resources Department and by it deposited in the State Treasury in the Game Protection Fund. The Director of the Division of Game shall, at the end of each calendar year, credit the Santee-Cooper funds with an amount equal to the sum collected during the calendar year 1956 from the temporary license now in effect for these waters. *Provided*, however, that should there be a general decline in revenue from all sources of the Division of Game, the amount credited may be reduced by the same per cent of such decline.”

SECTION 2. Section 2 of Act 259 of 1957, amended—licenses valid for ten days.—Section 2 of Act No. 259 of the Acts of 1957 is amended to read as follows:

“Section 2. Such temporary license shall authorize the licensee thereof to fish in any of the waters of this State for a period of ten specified consecutive days, in accordance with other rules and regulations provided by law, and such license shall be valid for the period so specified.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R365, S303)

No. 210

An Act To Amend Act No. 640 Of The Acts Of 1954, Relating To Fishing And Hunting In The Clarks Hill Area In Game Zone No. 2, So As To Permit The Use Of Traps, Seines And Nets In Certain Waters.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (b) of Section 4 of Act 640 of 1954, amended—fishing regulations in Clarks Hill area.—Subsection (b) of Section 4 of Act No. 640 of the Acts of 1954 is amended to read as follows :

“(b) Traps, seines and nets prohibited: *Provided*, that from the bridge between Calhoun Falls, South Carolina and Elberton, Georgia and the backwaters of Clarks Hill reservoir traps, seines and nets may be used in accordance with the provisions of Section 12 of Act No. 898 of the Acts of 1952. Baskets designed to catch non-game fish may be used for catching non-game fish. The director of the division of game shall specify the design and type basket that may be used. Trot lines may also be used for catching non-game fish and shall not be baited with minnows, insects, worms, any type live bait, or other bait designed to catch game fish. No trot line may have more than one hundred hooks. Before either trot line or basket is used in these waters a non-game fish tag must be secured from the game warden or agent of the division of game at a cost of one dollar for each basket or trot line. The person or his agent designated in writing securing a tag must fish his own basket or trot line. These tags must be securely attached to baskets or trot lines while they are in use. Each such non-game tag shall be good for only the fiscal year in which issued. The director is authorized to regulate the number of tags to be issued to any person.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R367, S221)

No. 211

An Act To Repeal Section 3 Of Act No. 792 Of The Acts Of 1958, As Amended By Act No. 959 Of The Acts Of 1958, Providing For Additional Service Charges By The Probate Judge Of Laurens County On Estates Over A Certain Value.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 792 of 1958, repealed—service charge on certain estates in Laurens County.—Section 3 of Act No. 792 of the Acts of 1958, as amended by Act No. 959 of the Acts of 1958, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R368, S281)

No. 212

An Act To Decrease The Number Of Aldermen For The Town Of Lyman In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Lyman to have mayor and four aldermen.—The Town of Lyman shall have a mayor and four aldermen who shall be elected from the qualified voters of the town at large.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R370, S283)

No. 213

An Act To Amend Section 1 Of Act No. 633 Of 1954, Relating To The Board Of Assessors For Abbeville County, So As To Reduce The Membership Of Such Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 633 of 1954, amended—Board of Assessors for Abbeville County.—Section 1 of Act No. 633 of 1954 is amended to read as follows :

“Section 1. The Board of Assessors for Abbeville County shall consist of seven qualified electors of the county to be appointed by the county auditor for terms of one year and until their successors are appointed and qualify. Vacancies shall be filled for the unexpired terms as provided for in the original appointment.”

SECTION 2. Not to affect terms of present members.—The provisions of this act shall not affect the terms of the present members.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R372, S287)

No. 214

An Act To Amend Act No. 895 Of 1958 Designating Jackfish As Nongame Fish In Game Zone No. 7, So As To Provide That Pike Also Shall Be Considered As Nongame Fish In Game Zone No. 7.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 895 of 1958, amended—jackfish and pike to be nongame fish in Zone 7.—Section 1 of Act No. 895 of 1958 is amended to read as follows :

“Section 1. Jackfish and pike shall be considered as nongame fish in Game Zone No. 7.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R373, S302)

No. 215

An Act To Authorize The Board Of Trustees Of Any School District To Secure Such Insurance As It Deems Necessary Relating To The Operation Of Motor Vehicles Owned By The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School districts may insure their motor vehicles.—The board of trustees of any school district is hereby authorized to secure such insurance as it deems necessary relating to the operation of motor vehicles owned by the district.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R374, S227)

No. 216

An Act Making It A Felony To Blow Up Or Damage Any Church, School, Private Residence, Or Any Other Building With The Use Of Certain Explosives, Or To Communicate Threats Or Knowingly Communicate False Information Relating Thereto, And To Provide A Penalty Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Felony to blow up or damage certain buildings—penalties.—Any person who wilfully or maliciously blows up or damages or attempts to blow up or damage any church, school building, private residence or any other public or private building with the use of dynamite or any other type of explosive shall be guilty of a felony, and upon conviction, shall be fined or imprisoned at hard labor, or both, in the discretion of the court. Any person convicted of aiding, abetting or assisting in such crime in any manner whatsoever shall also be subject to the above penalty.

SECTION 2. Felony to communicate certain information—penalties.—Any person who communicates a threat to blow up

or damage any church, school building, private residence or any other public or private building with the use of dynamite or other type of explosive, or who knowingly communicates any false information relating thereto which is designed to falsely alarm the recipient of such false information, shall be guilty of a felony, and upon conviction, shall be fined or imprisoned at hard labor, or both, in the discretion of the court.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R375, S238)

No. 217

An Act To Amend Act No. 731 Of 1958, Relating To The Determination, Allocation And Apportionment Of Income For Tax Purposes, The Imposition Of An Income Tax For All Corporations Doing Business In The State And A Certain Credit For Income Tax Paid To Other States, So As To Further Provide Therefor, And To Amend Section 65-604, Code Of Laws Of South Carolina, 1952, As Amended, Relating To An Annual License Fee On All Corporations, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 731 of 1958, amended—income tax on businesses conducted partly within and partly without the State.—Section 2 of Act No. 731 of 1958 is amended to read as follows :

“Section 2. If any taxpayer, except those defined in Section 65-256, is transacting or conducting his business partly within and partly without the State of South Carolina, the income tax as provided in Title 65, Chapter 5, Code of Laws of South Carolina, 1952, shall be imposed upon a base which reasonably represents the proportion of the trade or business carried on within this State. The taxpayer subject to taxation under this section shall be deemed to have been transacting or conducting his business partly within and partly with-

out the State if such taxpayer is subject to a net income tax or a franchise tax measured by net income in any other state, the District of Columbia, a territory or possession of the United States, or any foreign country, or would be subject to the net income tax in any other such taxing jurisdiction if such other taxing jurisdiction adopted the net income tax laws of this State. *Provided*, that nothing herein shall operate to deny any taxpayer affected by this act the benefits of Section 65-259 (13) where such taxpayer suffers a net loss, but as to the apportionment of net operating losses carried forward, the provisions of this act apply as if the taxpayer had a net income."

SECTION 2. Section 3 of Act 731 of 1958, amended—how income from personal services to be taxed.—Section 3 of Act No. 731 of 1958 is amended by adding a new item to be known as item (f) which shall read as follows:

"(f) All income from personal services received by a resident individual shall be allocated to this State. All income from personal services received by a nonresident individual for services rendered in this State shall be allocated to this State."

SECTION 3. Section 5 of Act 731 of 1958, amended—ratios for computing income tax on manufacturers, processors and dealers in certain personal property.—Section 5 of Act No. 731 of 1958 is amended to read as follows:

"Section 5. Net income of the above classes having been separately allocated, a taxpayer whose principal business in this State is (a) manufacturing or any form of collecting, buying, assembling or processing goods and materials within this State, or (b) selling, distributing or dealing in tangible personal property within this State, shall make returns and pay annually an income tax upon a proportion of its remaining net income computed on the basis of the arithmetical average of the following three ratios:

(A) Property. The ratio of the average value of real estate and tangible personal property, as herein defined, used by such taxpayer in this State during the income year, to the average value of the entire real estate and tangible personal property, as herein defined, used by the taxpayer everywhere during the income year. The average value of property is determined by averaging the values at the beginning and ending of the income year and shall be used unless by reason of material changes during the year, such average does not fairly represent the average of such year, in which event the average shall

be determined upon a monthly or a daily basis. If the taxpayer does not take or keep records of periodic inventories or if the method and time of taking such inventories does not accurately reflect the true average inventory, the Tax Commission shall determine the average inventory from such information as may be available. (1) The words 'tangible personal property' shall mean corporeal property, such as machinery, tools, implements, equipment, goods, wares, and merchandise and shall not include cash on hand or in bank, shares of stock, bonds, notes, accounts receivable, credits, special privileges, franchise, good will, or evidence of debt; (2) the word 'value' as applied to property other than inventories, shall mean the original cost plus any additions or improvements, without regard to deductions for depreciation, amortization, write downs or similar charges; *provided*, that should the Tax Commission find in the case of any taxpayer this results in the taxation of income in all the states in which the taxpayer files a return upon a greater amount than one hundred per cent of the income of the taxpayer, the Tax Commission may, in its discretion, adjust the value of property within this State so as to bring the percentage of income taxed to one hundred per cent, but in no case shall property in this State be valued at less than eighty per cent of the value as defined by this act. In the absence of special circumstances 'value' is the original cost as shown on the books of the taxpayer. Inventories shall be valued in accordance with the accounting practice of the taxpayer unless in the opinion of the Tax Commission a different method is required in order better to reflect the net income of said taxpayer. In determining the value of property, no deduction shall be made for encumbrances thereon. (3) Any property, the income from which is allocated directly and thereby excluded from the net apportionable income, shall be excluded in the computation of the property ratio. (4) 'Property' as used herein shall include the value of real estate and tangible personal property rented or leased. The 'value' as applied to real estate rented or leased shall mean the annual rental rate multiplied by eight. 'Value' as applied to tangible personal property rented or leased shall mean the net annual rental rate multiplied by eight unless in order better to reflect value the Tax Commission shall direct the use of another factor in lieu of the multiplier 'eight'. The net annual rental rate shall mean the gross annual rate paid by the taxpayer, less the gross annual rental rate received by the taxpayer for any sub-rentals of real estate.

(B) Payrolls. The ratio of all salaries, wages, commissions and other personal service compensation paid or incurred by the taxpayer in connection with the trade or business of the taxpayer in this State during the income year to the total salaries, wages, commissions and other personal service compensation paid or incurred by the taxpayer in connection with the entire trade or business of the taxpayer wherever conducted during the income year. For the purposes of this act, all such compensation to employees chiefly working at, sent out from or chiefly connected with an office, agency or place of business of the taxpayer in this State shall be deemed to be in connection with the trade or business of the taxpayer in this State. All such compensation to general executive officers having companywide authority shall be excluded from the numerator and the denominator of the ratio, and all such compensation in connection with income separately allocated under the provisions of this act shall be excluded from the numerator and denominator of the ratio.

(C) Sales. The ratio of sales made by such taxpayer during the income year which are attributable to South Carolina to the total sales made by such taxpayer everywhere during the income year. For purposes of this act, sales attributable to South Carolina shall be all sales where the goods, merchandise, or property is received in this State by a purchaser, other than the United States Government. In the case of delivery of goods by common carrier, or by other means of transportation, including transportation by the purchaser, the place at which the goods are ultimately received after all transportation has been completed shall be considered as the place at which the goods are received by the purchaser. *Provided*, that direct delivery into this State by the taxpayer to a person, or firm designated by a purchaser from within or without the State shall constitute delivery to the purchaser in this State, and *provided*, that sales are attributable to South Carolina when the property is shipped from within this State and the purchaser is the United States Government or the taxpayer is not taxable in the state of the purchaser. The word 'sales' as used in this act shall be construed to include rentals of tangible personal property the rentals from which are not separately allocated under this act. Such rentals to be attributed to South Carolina if the property is located in South Carolina. Sales of intangible personal property shall be attributable to this State if the entire income producing activity is within this State, or based on costs of performance the greater proportion thereof is performed within South Carolina."

SECTION 4. Section 6 of Act 731 of 1958, amended—alternative method for manufacturers and processors.—Section 6 of Act No. 731 of 1958 is amended to read as follows:

“Section 6. As an alternative to the method of apportionment set forth in Section 5 above, any taxpayer other than those described in Section 65-256 or 65-605 whose principal business in this State is manufacturing or any form of collecting, buying, assembling or processing goods and materials within this State, may make returns and pay annually an income tax upon a proportion of its remaining net income computed on the basis of the arithmetical average of the following two ratios: (1) The property ratio as set out in Section 5 (a) above and, (2) the payrolls ratio as set out in Section 5 (b).”

SECTION 5. Section 7 of Act 731 of 1958, amended—alternative method for dealers in certain property.—Section 7 of Act No. 731 of 1958 is amended to read as follows:

“Section 7. If the principal business of a taxpayer other than those described in Section 65-256 or 65-605, is selling, distributing or dealing in tangible personal property within this State such taxpayer may, as an alternate to the method of apportionment set forth in Section 5 above, make returns and pay annually an income tax upon a proportion of its remaining net income computed upon the basis of the arithmetical average of the following two ratios: (1) the property ratio as set out in Section 5 (a) above and (2) the sales ratio as set out in Section 5 (c) above.”

SECTION 6. Section 8 of Act 731 of 1958, amended—how income of other taxpayers to be computed.—Section 8 of Act No. 731 of 1958 is amended to read as follows: .

“Section 8. If the principal profits or income of a taxpayer, other than those described in Section 65-256 or 65-605, are derived from sources other than manufacturing, producing, collecting, buying, assembling, processing or selling, distributing or dealing in tangible personal property such taxpayer shall make returns and pay annually an income tax upon a proportion of its remaining net income computed on the basis of the ratio of gross receipts in this State during the income year to the total gross receipts of such year within and without the State.”

SECTION 7. Section 11 of Act 731 of 1958, amended—taxpayer to elect method to be used.—Section 11 of Act No. 731 of 1958 is amended to read as follows:

“Section 11. An election by the taxpayer under Sections 5, 6 or 7 of this act must be adhered to unless and until written permission has been obtained from the Tax Commission to make a change. The method used by the taxpayer in his first return under the provisions of this act shall constitute an election.”

SECTION 8. Section 65-604, 1952 Code, amended—corporations to pay annual license fee.—Section 65-604, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 65-604. In addition to any and all other license taxes or fees or taxes of whatever kind every corporation required to file a report by Section 65-601, except such corporations as are enumerated in Section 65-605, shall pay to the South Carolina Tax Commission, at the time of filing the report required by Section 65-601, an annual license fee of one mill upon each dollar paid to the capital stock and paid in as surplus of said corporation as shown by the records of the corporation on January first, next preceding the date of filing the report. In no case shall the license fee provided for by this section be less than ten dollars. Where a corporation does business in part within South Carolina and in part without this State, or uses a part of its capital within South Carolina and uses a part of its capital without this State, or owns, maintains or operates one or more establishments or plants within South Carolina and owns, maintains or operates one or more establishments or plants without this State, the amount of the license fee above provided for shall be measured by a proportion of the dollars paid to the capital stock and paid in as surplus of the corporation, determined in accordance with the ratios prescribed for purposes of the income tax as set forth in Sections 5, 6, 7, and 8 of Act No. 731 of 1958.

For the purposes of this section the ratios to be used shall be based upon the accounting period of the corporation as regularly established for the purposes of the income tax, which closes next preceding January first.

Paid-in surplus as used herein shall not include any capital surplus created by reason of a reorganization, consolidation, or merger except such surplus as may result from a decrease of capital as an incident to such reorganization, consolidation or merger. The license fee provided for by this section shall be paid at the time of filing the report, pursuant to the provisions of Section 65-601, Code of Laws of South Carolina, 1952, on or before the last day of March.”

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R376, S252)

No. 218

An Act To Amend Act No. 770 Of The Acts Of 1958, Relating To A Tax Study Commission, So As To Delete The Requirement That The Executive Secretary Or General Counsel Of Such Commission Shall Devote Full Time To The Work Of The Commission; To Delete The Provision Relating To The Salary Of Such Person; To Provide For The Payment Of The Expenses Of The Commission; And To Provide An Appropriation Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 5 of Act 770 of 1958, amended—Tax Study Commission—employ personnel—duties.—Section 5 of Act No. 770 of the Acts of 1958 is amended to read as follows:

“Section 5. The Commission is authorized, with the approval of the Governor, to employ an executive secretary or a general counsel who shall supervise the research, revision and redrafting required to carry out the provisions of this act. He shall be authorized to hold hearings and symposiums at various points throughout the State for the purpose of promoting the work of the Commission and securing the wishes of the public regarding the duties of the Commission. The executive secretary or general counsel is authorized to employ such professional, clerical, and other assistance and services as may be deemed necessary in the performance of the Commission’s duties.”

SECTION 2. Section 7 of Act 770 of 1958, amended—expenses.—Section 7 of Act No. 770 of the Acts of 1958 is amended to read as follows:

“Section 7. The members of the Commission shall receive a per diem of ten dollars and the usual travel allowance when engaged in the exercise of their duties as members of the Commission. Cost and expenses of the Commission shall be paid from the General Fund of

the State on warrants duly signed by the Chairman of the Commission."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R378, H1065)

No. 219

An Act To Prohibit The Erecting Or The Creating Of A Nuisance Within A Quarter Of A Mile Of A Church Or Public Park In Chester County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Unlawful to maintain nuisances near churches or parks in Chester County.—It shall be unlawful in Chester County to erect or maintain a nuisance of any type within a quarter of a mile of a church or public park. Any person convicted of violating the provisions of this act shall be fined not to exceed one hundred dollars or imprisoned for not to exceed thirty days, or both.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R379, H1104)

No. 220

An Act To Amend Act No. 610 Of The Acts Of 1954, As Amended, Providing Supplemental Allowances For Certain Members Of The South Carolina Retirement System, So As To Make Further Provisions For Such Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 610 of 1954, amended—retirement allowance for certain teachers and State employees.—Act No. 610

of the Acts of 1954, as amended, is amended further by striking out Section 2 in its entirety and inserting in lieu thereof the following:

"Section 2. Any public school teacher, State employee, or employee of an employer covered by the South Carolina Retirement System who retired prior to July 1, 1945, in service with twenty or more years of such service and who has reached age sixty, shall be eligible for the minimum allowance of sixty dollars per month for the remainder of his life, such benefits to be paid from the General Fund of the State."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R380, H1176)

No. 221

An Act To Provide For Accountings By Committees Of Mentally Ill Or Deficient Persons And To Amend Act No. 836 Of 1952, As Amended, Relating To The Mentally Ill Or Deficient, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committees or trustees of mentally ill persons to make accountings.—The committee or trustee of any mentally ill or mentally deficient person shall annually make on the anniversary of his appointment an accounting to the Judge of Probate of the county in which such mentally ill or mentally deficient person resides or resided prior to his admission to a mental health facility and in cases under the jurisdiction of the Mental Health Commission shall send a copy of such accounting to the Mental Health Commission. Upon petition of the committee or trustee the Judge of Probate may extend the time for making the accounting. If the committee or trustee fails to make the accounting, or obtain an extension of time within thirty days after the date such accounting was due and after demand therefor by the Mental Health Commission, such committee or trustee shall be discharged and the Mental Health Commission shall petition for the appointment of another committee or trustee.

SECTION 2. Section 25 of Article IV of Act 836 of 1952, amended—superintendents of mental health facilities may act as committees for certain patients.—Section 25 of Article IV of Act 836 of 1952, as amended, is amended to read as follows:

“Section 25. If any patient of a state mental health facility has no legally appointed committee, the superintendent of the facility may receive and accept for the use and benefit of any such patient or trainee any sum of money, not in excess of the sum of twenty-five hundred dollars in any one calendar year, which may be due such patient or trainee by inheritance, gift, pension or otherwise. The superintendent may act as committee for any such patient or trainee, and his endorsement or receipt shall discharge the obligor for such sum so received. Upon receipt of any such fund the superintendent shall use it for the proper maintenance, use and benefit of such patient or trainee, or as much thereof as may be necessary for such purposes. In the event any such patient or trainee should die leaving an unexpended balance of any such funds in the hands of the superintendent, he shall apply such balance first to the funeral expenses of such patient or trainee, and any balance remaining shall be held by the superintendent for a period of six months, and if he is not, within such period, contacted by the personal representative of such deceased patient or trainee, the balance in the personal fund account shall be applied to the maintenance and medical care account of the deceased patient or trainee. Any further balance shall be paid to the judge of probate of the county from which the patient or trainee was admitted for distribution according to law.”

SECTION 3. Section 9 (a) of Article II of Act 836 of 1952, amended—discharge of patients from State Hospital.—Section 9 (a) of Article II of Act No. 836 of 1952, as amended, is amended to read as follows:

“Section 9. (a) Any patient confined under the provisions of Sections 4 or 5 of this article, who requests in writing to be discharged or whose discharge is requested in writing, by the person who made the application for his admission or by his spouse, adult next of kin, or legal guardian or friend shall be discharged within seven days after receipt of the request except that, such request may be denied by the superintendent of the State Hospital if the request be made sooner than thirty days after admission; and except also that, upon application to the Probate Court supported by a certification by the superintendent of the hospital that in his opinion dis-

charge would be unsafe for the patient or for others, discharge may be postponed for a period not to exceed fifteen days which the court may determine to be necessary for the commencement of proceedings for a judicial determination pursuant to Section 6 of this article."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R382, H1239)

No. 222

An Act To Amend Section 28-331, Code Of Laws Of South Carolina, 1952, Relating To Open Seasons, So As To Provide For Open Seasons For The Hunting Of Squirrels.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 3 of Section 28-331, 1952 Code, amended—squirrel season in Game Zone 6.—Item 3 of Section 28-331, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso: "*Provided*, that in the Sixth Game Zone squirrels may be hunted between October 15 and Thanksgiving Day without dogs."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R383, H1253)

No. 223

An Act To Create A Planning And Development Board For Greenville County And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County Planning and Development Board created—members—terms—vacancies.—There is hereby created the Greenville County Planning and Development Board, which shall consist of not more than three members to be appointed by the Greenville County Legislative Delegation. The members shall be appointed for a term of two years, and shall hold office until their successors are appointed and qualified. Any vacancy in the membership shall be filled in the same manner as the original appointment for the unexpired term. The County Legislative Planning and Development Committee shall be ex officio members of the board. All appointments to membership on the board shall be transmitted to the Clerk of Court of Greenville County, who shall properly record such appointments on the permanent records in his office. The appointments shall also be recorded in the minutes and records to be maintained by the board.

SECTION 2. Purpose—advisory council.—The board is created for the purpose of encouraging and promoting the agricultural, industrial and commercial development and expansion of Greenville County. Said Board at its discretion may appoint an advisory council of not more than twenty (20) members, who shall hold office for a term of one (1) year, and shall be representative of the various metropolitan communities in said county as well as the various trades and professions in said county.

SECTION 3. Meetings—officers—compensation—records.—The board shall hold its first meeting within fifteen days after the appointments are made for the purpose of organization. The board shall elect a chairman from its membership and a secretary-treasurer. The board shall meet thereafter at such times and places as it may fix and determine by rules and regulations. The chairman shall have power to call special meetings of the board, as may appear proper and expedient to him. The members of the board shall serve without pay, but travel and other incidental expenses may be provided by the board upon the approval of the chairman and secretary-treasurer, but only for the promotional purposes set forth in Section 2 above. The board shall keep permanent minutes and records of all official acts, doings and proceedings, which shall be available for inspection at all times by the Greenville County Legislative Delegation.

SECTION 4. Contracts and agreements.—The board may make such contracts and agreements as may be necessary and incidental to the performance of its duties under the terms and provisions of this act; *provided*, that no contract for an expenditure in excess of five hundred dollars shall be made and entered into by the board without first obtaining the approval of the Greenville County Legislative Delegation; and provided further, that the board shall not make any agreement or contract involving or requiring an expenditure in excess of the funds that may be made available to it by law.

SECTION 5. Gifts and grants.—The board may accept gifts, grants of money, or property of any and all kinds and description from any source whatsoever, which shall be accounted for in the same manner as other funds that may be appropriated to it for the purpose of carrying out the provisions of this act.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R385, H1301)

No. 224

An Act To Amend Subsection 3 Of Section 58-101, Code Of Laws Of South Carolina, 1952, Relating To The Term "Public Utility" So As To Include Therein Sewerage Collection And Sewerage Disposal.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection 3 of Section 58-101, 1952 Code, amended—public utility defined.—Subsection 3 of Section 58-101, Code of Laws of South Carolina, 1952, is amended to read as follows:

“(3) The term ‘*public utility*’ includes every corporation and person furnishing or supplying in any manner gas, heat (other than by means of electricity), water, sewerage collection, sewerage disposal and street railway service, or any of them, to the public, or any portion thereof, for compensation; and”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R386, H1468)

No. 225

An Act To Provide For Nominee Registration Of Securities Held By Banks, Trust Companies And Other Corporate Fiduciaries.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Certain banks may register securities for nominees—conditions.—Any bank or trust company incorporated under the laws of this State or any national bank located in this State may, when acting in any fiduciary capacity whether as sole fiduciary or as a co-fiduciary, register and hold, in the name of a nominee or nominees thereof, any stocks, bonds or other securities held in such fiduciary capacity, if when acting as co-fiduciary it secures the consent of its co-fiduciaries, who are hereby authorized to give such consent; provided that :

1. The records of the fiduciary or fiduciaries and all accounts rendered by it or them shall at all times clearly show the ownership of the securities so registered.

2. Such securities shall at all times be kept separate and apart from the assets of such bank, trust company or national bank.

3. The bank, trust company or national bank shall be liable for any loss resulting from any acts or omissions to act of such nominee, in connection with the securities so held by such nominee, to the same extent as if such securities had been held in the fiduciary's own name as fiduciary.

SECTION 2. Further.—Any bank or trust company incorporated under the laws of this State or any national bank located in this State may, when acting as agent, custodian or attorney-in-fact, upon the request of the principal, including unincorporated fiduciaries, register stocks, bonds or other securities held in such capacity in the name of a

nominee or nominees of such corporate fiduciary; *provided*, that such bank, trust company or national bank shall not deliver or redeliver any such stocks, bonds or other securities to such unincorporated fiduciary or principal who has caused any stocks, bonds or other securities to be so registered in the name of the nominee of such bank, trust company or national bank without first causing such stocks, bonds or other securities to be registered in the name of such unincorporated fiduciary or principal as such. Any sale or transfer of such stocks, bonds or other securities made by such bank, trust company or national bank at the direction of such principal, or unincorporated fiduciary shall not be construed to be delivered or redelivered but any such bank, trust company or national bank or any nominee or nominees in whose name such securities shall be registered shall be deemed to have fully discharged its, his or their responsibilities if any such bonds, stocks or other securities are sold or transferred in accordance with the direction of the principal or unincorporated fiduciary making such deposit, and the proceeds of such sale or transfer accounted for and delivered to such unincorporated fiduciary or principal.

SECTION 3. Corporations not liable for registrations—conditions.—No domestic or foreign corporation or the registrar or transfer agent of any corporation shall be liable for registering or causing to be registered on the books of such corporation any stock or stocks, bond or bonds or other securities in the name of any nominee of such bank, trust company or national bank or for transferring or causing to be transferred on the books of any such corporation any stock or stocks, bond or bonds or other securities theretofore registered by such corporation in the name of any nominee or nominees of such bank, trust company or national bank as herein provided when the transfer is made upon the authorization of such nominee.

SECTION 4. Act not to apply to certain banks.—The provisions of this act shall apply to any bank, trust company or national bank located in this State acting in a fiduciary capacity whether such fiduciary capacity arose before or is created after the effective date of this act, unless registration as provided herein is prohibited by the will, judgment, decree or any other instrument creating the fiduciary relationship.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R387, H1476)

No. 226

An Act To Amend Section 67-58, Code Of Laws Of South Carolina, 1952, So As To Enlarge The Right Of Fiduciaries To Invest In Bonds, Debentures, Notes, And Other Obligations Of Corporations Domiciled In Any State In The United States.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 67-58, 1952 Code, amended—investment of trust funds by fiduciaries.—Section 67-58, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 67-58. Trust funds in the hands of any trustee, guardian, committee, executor, administrator or other fiduciary may be invested by such fiduciary in such securities or property as may be authorized by the will, deed, order, decree, gift, grant or other instrument creating or fixing the trust and, when not otherwise provided in such instrument, may be deposited in whole or in part at current savings bank interest rates in any bank which is a member of the Federal Deposit Insurance Corporation or in any Federal Savings & Loan Association, or may be invested in whole or in part in all or any of the following: bonds or notes of the United States, Federal Farm Loan Bonds issued pursuant to an act of Congress known as the Federal Farm Loan Act, and acts amendatory thereof and supplementary thereto, bonds issued by the Federal Farm Mortgage Corporation pursuant to an act of Congress known as the Federal Farm Mortgage Corporation Act, Federal Intermediate Credit Bank debentures issued pursuant to the Federal Farm Loan Act as amended, debentures issued by Central Bank for Cooperatives and regional banks for cooperatives organized under the Farm Credit Act of 1933, or by any of such banks, bonds or obligations of any state of the United States, bonds or obligations of any political subdivision or municipal corporation of any such state, bonds, notes, debentures or obligations of any corporation domiciled in any state in the United States, preferred or common stock of any corporation,

shares of any management type investment company or investment trust which is registered under the Federal Investment Company Act of 1940 as from time to time amended and shares of any building and loan association organized and existing under the laws of this State when such shares are insured by the Federal Savings & Loan Insurance Corporation, *provided*, however;

(1) When such investment, whether secured by real estate mortgage or not, is in bonds, notes, debentures, or obligations of any corporation domiciled in any state in the United States such bonds, notes, debentures, or obligations shall be eligible for investment under this section only if the common stock of the corporation issuing the bonds, notes, debentures, or obligations shall have an unbroken record of cash dividends paid annually during the period of ten years next preceding the date of purchase;

(2) When the investment is in bonds, notes or obligations secured by mortgage on real estate, given or issued by individuals or corporations, other than bonds, notes, debentures or obligations which would qualify under Subsection 1, and no default in the payment of interest thereon shall have occurred, and the total amount of such bonds, notes, or obligations so secured shall not exceed sixty per cent of the appraised value of the property mortgaged as of the time when such mortgage is given by the mortgagor to the fiduciary or when such mortgage is acquired or purchased by the fiduciary from the holder thereof;

(3) When such investment is in common or preferred stocks of any corporation or in shares of any such management type investment company or investment trust there shall have been an unbroken record of dividend payments on such stocks or shares during the period of ten years next preceding the date of purchase;

(4) The combined aggregate total so invested in common or preferred stocks of any corporation and in shares of such management type investment company or investment trust shall not exceed thirty per cent of the corpus of the trust, and the aggregate total so invested in the stock or stocks of any one corporation or in shares of any one such management type investment company or investment trust shall not exceed ten per cent of the corpus of the trust; but this paragraph shall not apply to any funds of a minor ward as to which the testator or donor making a gift of such funds or other property shall, in the will or other written declaration filed with the probate court, expressly authorize the minor ward's guardian to invest with-

out limitation in such corporate stocks or shares of such management type investment company or investment trust as is permitted by this section, nor shall such funds or property of the minor ward be considered in determining the percentage of any other funds or property of the minor ward that his guardian may invest in accordance with this paragraph;

(5) No investment shall be made:

(a) In any stock, bond, note or obligation of the corporate fiduciary;

(b) In any stock, bond, note or obligation of any corporation or in shares of any such management type investment company or investment trust of which the individual fiduciary or any person related to him within the third degree is a director, officer or employee; or

(c) In any stock, bond, note or obligation of any corporation or in any shares of any management type investment company or investment trust when the fiduciary, individual or corporate, or any person related to the individual fiduciary within the third degree is the owner or holder, by pledge or otherwise, of more than five per cent of the total outstanding capital stock of such corporation or of more than five per cent of the shares of any such management type investment company or investment trust; and

(6) No investment shall be made in any obligation, corporate or otherwise, secured by mortgage of real estate when such real estate is owned in whole or in part by the individual fiduciary or any person related to such fiduciary within the third degree or when the fiduciary, individual or corporate, is the owner or holder by pledge or otherwise of more than five per cent of the total outstanding capital stock of any corporation in which the title to such estate was vested at the time of the issuance of such obligation or mortgage or at the time of such investment."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R388, H1494)

No. 227**An Act Providing For The Investment Of Surplus Funds Belonging To McCormick County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. McCormick County may invest certain funds.—

The Treasurer of McCormick County is hereby authorized to invest, with the approval of the legislative delegation, funds in his hands in excess of necessary current expenses which will apparently not be demanded for six months or more in short term United States Treasury obligations.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R390, H1512)

No. 228**An Act To Provide For The Appointment Of A Committee Of Certain Persons With Personal Estates Of One Thousand Dollars Or Less And To Provide For Committee Fees.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Judge of Probate may act as committee for mentally ill persons—fees.—When two licensed physicians certify that a person is mentally incompetent or has a mental deficiency so as to render him unable to handle his affairs with ordinary prudence, or if the superintendent or physician in charge of the State Hospital or other mental health facility certifies that a person is mentally incompetent, and such person possesses a personal estate of one thousand dollars or less, the judge of probate may be appointed committee to administer the estate without the requirement of a regular or formal committee proceeding and without the requirement of bond.

For his care, trouble, and attendance in the execution of his duties as Special Committee, the probate judge shall be entitled to receive

compensation at the rate of five per cent of the value of the assets and estate thus managed and administered upon.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R398, H1624)

No. 229

An Act Requiring A License And Bond Of All Persons Before Engaging In The Business Of The Cleaning Of Septic Tanks, Painting Of Roofs, Applying Of Sidings To Buildings Or Pest Control Or Extermination In Edgefield County And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Edgefield County—licenses required for certain businesses.—In Edgefield County it shall be unlawful for any person engaged in the business of cleaning septic tanks, painting roofs, applying siding to buildings or treating buildings for the control or extermination of pests to perform such services without first securing from the clerk of court of the county a license for which shall be paid annually the sum fixed by the governing body of the county, the proceeds of which shall be placed in the general funds of the county. Before such license is issued, the licensee shall post a bond to be executed by two sureties in the amount of three thousand dollars to be posted with the clerk of court conditioned that the licensee shall deal fairly and equitably with all parties for whom the licensee performs services. Such bond shall be for the benefit and protection of all parties in the county with whom such licensee may deal, but the aggregate liability of the sureties on such bond, to all parties, shall in no event exceed the amount of the bond.

SECTION 2. Exemptions.—Any person who has obtained a license from any municipality in Edgefield County for performance of the work hereby affected, shall not be subject to the provisions hereof unless such work or services are to be performed outside of the boundaries of such municipality.

SECTION 3. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both, in the discretion of the presiding judge.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R399, H1627)

No. 230

An Act To Amend Act No. 154 Of 1955, Relating To A Council-Manager Form Of Government For Cities Which By The 1950 United States Census Have Not Less Than Seven Thousand Inhabitants Nor More Than Twelve Thousand Inhabitants, So As To Provide For A Council-Manager Form Of Government For Any City Which Has Such Number Of Inhabitants According To The Most Recent Official United States Census.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Article I of Act 154 of 1955, amended—certain cities may adopt council-manager form of government.
—Section 1 of Article I of Act No. 154 of the Acts of 1955 is amended to read as follows:

“Section 1. Any city which, by the most recent official United States Census heretofore made and published, having not less than seven thousand inhabitants nor more than twelve thousand inhabitants, may adopt the form of government known as the Council-Manager form of government, and became organized as a city under the provisions hereof, retaining and exercising all the rights and powers, and remaining subject to all the duties and obligations otherwise granted or imposed by law, not herein repealed specifically or by necessary implication. *Provided*, this act shall not apply to any city which by the 1950 United States Census had a population of between nine thousand and nine thousand five hundred inhabitants.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R405, H1671)

No. 231

An Act To Amend Sections 65-1102, 65-1105, 65-1106, And 65-1108, Code Of Laws Of South Carolina, 1952, Relating To Refund Of Tax On Gasoline Used In Farm Operations And Watercraft, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1102, 1952 Code, amended—refund of tax on gasoline used in watercraft.—Section 65-1102, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1102. Any person purchasing gasoline to use in motor boats or other watercraft upon which such person intends to make a claim for tax refund must secure from a licensed gasoline distributor a gasoline tax refund certificate showing the amount of gasoline sold, date of sale, and invoice number. Such certificate shall be signed by both the licensed gasoline dealer and the applicant. The refund certificates shall be in such form as the Commission shall determine. No refund of one dollar or less shall be made by the Commission.

“Refund may be claimed and made only when the gasoline is delivered by the gasoline dealer directly into the tank of the motor boat or other watercraft.”

SECTION 2. Section 65-1105, 1952 Code, amended—application blanks for refund of tax on gasoline used for farm purposes.—Section 65-1105, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1105. Upon compliance with Section 65-1104 the Commission shall issue to the applicant a supply of application blanks. The blanks shall be in such form as the Commission may prescribe and shall contain such information as the Commission shall require, and no person shall claim a refund on application blanks other than those furnished by the Commission.”

SECTION 3. Section 65-1106, 1952 Code, amended—execution of refund blanks for gasoline used in farm equipment.—Section 65-1106, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1106. Any person purchasing gasoline on which he intends to make a claim for refund must personally sign and fill in his refund blank and the distributor selling such gasoline shall furnish a true copy of his sales invoice stating that the amount of gasoline listed thereon has been delivered solely for use in farm equipment as defined in this article. A true copy of the invoice must be attached to the claim for refund. No refund of one dollar or less shall be made by the Commission.”

SECTION 4. Section 65-1108, 1952 Code, amended—penalties for swearing falsely to procure refunds.—Section 65-1108, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1108. If any person shall falsely sign a refund application, information statement or any statement made in connection with the procurement of refunds of gasoline tax, knowing that any statement therein is false, he shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars and shall likewise not be entitled to the refund claim, nor any refund of tax on any gasoline purchased during the next succeeding six months period.”

SECTION 5. Section 65-1109, 1952 Code, amended—penalties for sellers of gasoline to issue false statements.—Section 65-1109, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 65-1109. If any distributor or other seller of refund gasoline shall issue an invoice for refund gasoline knowing, or having good reason to know, that such gasoline is to be used for other than agricultural purposes or in violation of any provisions of this article, he shall for the first offense be liable for the tax refund on such gasoline and a one-hundred per cent penalty thereon, to be collected by the Commission, and shall likewise forfeit all right to sell or distribute gasoline or oil, or either, for a period of not less than one month nor more than six months.”

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect July 1, 1959.

Approved the 18th day of May, 1959.

(R408, H1690)

No. 232

An Act Requiring A License And Bond Before Engaging In The Business Of Cleaning Septic Tanks, Painting Roofs, Applying Sidings To Buildings, Or Of Exterminating Or Treating Property Of Others For Or Against Insects And Other Pests In Marion County; And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marion County—licenses required for certain businesses—exemptions.—It shall be unlawful for any person, firm or corporation to engage in the business in Marion County of cleaning septic tanks, painting roofs, applying sidings to buildings, or of exterminating or treating property of others for or against insects and other pests, without first securing from the Board of County Commissioners an annual license for which shall be charged a fee to be set by the Board. The Board shall have the power to refuse, suspend or revoke for cause any such license, and shall require as a condition precedent to the issuance of such license the filing of a bond in such amount and coverage as deemed necessary by the Board. The provisions of this act shall not apply to persons licensed by the municipality within which such services are to be performed.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five hundred dollars or imprisoned for not more than three months in the discretion of the presiding judge.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R409, H1691)

No. 233

An Act Requiring A License And Bond Before Engaging In The Business Of Selling Vocational Training Courses In Marion County And To Provide A Penalty For Violations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Marion County—persons selling vocational training courses to secure licenses—exemptions.—It shall be unlawful for any person, firm or corporation to engage in the business in Marion County of selling vocational training courses without first securing from the Board of County Commissioners an annual license for which shall be charged a fee to be set by the Board. The Board shall have the power to refuse, suspend or revoke for cause any such license, and shall require as a condition precedent to the issuance of such license the filing of a bond in such amount and coverage as deemed necessary by the Board. The provisions of this act shall not apply to persons or institutions licensed by the municipality within which such services are to be performed or approved by the State Department of Education.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than five hundred dollars or imprisoned for not more than three months in the discretion of the presiding judge.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R411, H1710)

No. 234

An Act To Amend Act No. 200 Of 1957, Relating To Permits For Excavations Across Roads In Greenville County, So As To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 200 of 1957 amended—Section 3.1 added—penalties.—Act No. 200 of 1957 is amended by adding a new section to be known as Section 3.1 which shall read as follows :

“Section 3.1. Any person violating the provisions of this act shall, upon conviction, be fined in an amount not to exceed one hundred dollars or imprisoned for a term not to exceed thirty days.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R413, H1713)

No. 235

An Act To Amend Act No. 360 Of The Acts Of 1957, As Amended, Relating To Shooting Preserves, So As To Provide An Open Season For Shooting Preserves In Game Zone No. 1 On All Types Of Pen Raised Game.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 360 of 1957 amended—Section 3.1 added—hunting season for pen raised game at shooting preserves in Game Zone I.—Act No. 360 of the Acts of 1957, as amended, is further amended by adding a new section to be known as Section 3.1 which shall read as follows:

“Section 3.1. In Game Zone No. 1 within the boundaries of shooting preserves licensed by authority of this act, the open season on all types of pen raised game shall be from October first of any year to April first of the following year. The provisions of this act are not intended to close any open season on any type of game when such open season occurs between April first and September thirtieth of any year.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R415, H1725)

No. 236**An Act To Provide For The Open Season For Hunting Bear In Game Zone 1 And To Provide A Penalty For Violating The Provisions Hereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Bear season in Game Zone 1—penalties.—In Game Zone 1 it shall be unlawful to hunt bear except from the fifteenth day of November to the first day of December, inclusive. Any person violating the provisions of this act shall, upon conviction, be fined one hundred dollars or be imprisoned for thirty days.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R416, H1132)

No. 237**An Act To Exempt The Property Of The Hartsville Masonic Lodge Located On Home Avenue In Hartsville, Darlington County, From Taxation.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Hartsville Masonic Lodge exempt from taxes.—The property of the Hartsville Masonic Lodge located on Home Avenue in Hartsville, Darlington County, shall be exempt from all county and municipal taxes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R417, H1269)

No. 238

An Act To Provide For The Withholding Of A Portion Of The Money Allotted To The Counties From The Annual State Income Tax To Be Used By The State Department Of Public Welfare For The Medical And Hospital Care Of Persons Qualified To Receive Public Assistance.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Portion of income tax allocated to counties to be used for medical and hospital care for certain persons.—During the fiscal year 1959-1960, and every fiscal year thereafter, there shall be withheld by the State Treasurer from the portion of the annual state income tax which is allotted to the counties a sum equal to thirty cents per capita based on the population of the several counties as shown by the latest official decennial census of the United States. The money so withheld by the State Treasurer shall be placed to the credit of the State Department of Public Welfare and shall be used for the purpose of defraying the cost of medical and hospital care of persons qualified to receive public assistance under programs for the aid of the aged, the blind, dependent children, the disabled and those qualified for general assistance.

SECTION 2. Federal funds to be secured when possible.—The State Department of Public Welfare is authorized and directed to secure federal funds, when available, to assist in the program for medical and hospital care hereby authorized.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1959.

Approved the 18th day of May, 1959.

(R419, H1456)

No. 239

An Act Authorizing The Sheriff Of Any County To Sell At Public Auction Certain Abandoned And Recovered Stolen Property And To Provide For A Claim By The True Owner If Made Within One Year From Sale.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sheriff may sell certain property when owner cannot be found—proceeds.—The sheriff of any county may sell at public auction any recovered stolen property, the true owner of which cannot be ascertained after reasonable effort, and may also sell at public auction such property as may have been abandoned within such county where the true owner cannot be ascertained after reasonable effort. The sheriff shall make a diligent effort to ascertain the true owner of any abandoned or recovered stolen property which is the subject of this act and shall advertise such property with the full description thereof in a newspaper having a general circulation in the county for at least twice prior to the sale. At any time after sixty days shall have elapsed after the insertion of the first advertisement, the sheriff may sell at public auction on the courthouse steps the abandoned or recovered stolen property in question. He shall turn over all proceeds, after the necessary expenses of the sale have been deducted, to the county treasurer. The treasurer shall place such sums in a special fund.

SECTION 2. Claims by true owners.—At any time within one year after the sale of any abandoned or recovered stolen property as provided for in this act, the true owner may apply to the sheriff and after proper identification and proof of claim recover the net sum received from the sale, after necessary expenses are deducted. The property itself may be recovered after proper identification and proof of claim if such claim is made prior to sale. After the lapse of one year after sale the net sum received for the abandoned property shall be placed in the general fund of the county.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

To Registering, Licensing And Transferring Certain Licenses For Certain Vehicles, So As To Further Provide For The Registering, Licensing And Transferring Such Vehicles, And To Repeal Section 46-63 Of The Code Of Laws Of South Carolina, 1952, Relating To The Prohibition Against Transferring Of Licenses To Other Vehicles.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 46-35, 1952 Code, amended—registration and license fees for trucks, road tractors, trailers, farm trucks, housetrailers and utility trailers.—Section 46-35, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 46-35. (a) For every truck, truck-tractor or road tractor, the annual registration and license fee shall be as follows :

	<i>Load Capacity</i>	<i>Annual Fee</i>
Not more than	1 Ton	\$ 10
	2 Tons	25
	3 Tons	40
	4 Tons	55
	5 Tons	75
	6 Tons	90
	7 Tons	115
	8 Tons	140
	9 Tons	165
	10 Tons	190
	11 Tons	200
	12 Tons	210
	13 Tons	220
	14 Tons	230
	15 Tons	240
	16 Tons	260
	17 Tons	280
	18 Tons	300
	19 Tons	325
	20 Tons	350
	21 Tons	375
	22 Tons	400
	23 Tons	425
	24 Tons	450
	25 Tons	500

<i>Load Capacity</i>	<i>Annual Fee</i>
26 Tons	550
27 Tons	600

The department shall register and license every truck, truck-tractor or road tractor for the maximum tonnage load capacity to be transported by such truck, truck-tractor or road tractor including the load on any trailer, semitrailer or pole trailer, or other vehicle, towed or drawn thereby; provided that no truck, truck-tractor or road tractor having an actual unloaded weight of over 5,000 pounds may be licensed and registered for an annual fee of less than \$25.00, and no truck, truck-tractor or road tractor having an actual unloaded weight of over 6,000 pounds may be licensed and registered for an annual fee of less than \$40.00. The term 'load capacity' shall include all gross load of the truck, truck-tractor or road tractor and all vehicles towed or drawn thereby not otherwise classified as 'actual unloaded weight' as herein defined. The term 'actual unloaded weight' means the empty weight of the vehicle fully equipped for service including body, accessories, equipment attached to or carried on the vehicle for use in connection with the movement of the vehicle by its own motor or for use in the maintenance of the vehicle, and a full complement of lubricants, fuel and water. The term does not include equipment attached to or carried on the vehicle for use in handling or transporting cargo, nor does the term include any special equipment (such as an air compressor, crane, cement mixer, etc.) mounted on the vehicle to secure the transportation of same.

(b) For every trailer, semitrailer, or pole trailer, the annual registration fee shall be \$10.00. The department shall include in this classification every trailer, semitrailer, or pole trailer designed for carrying property, except house trailers, utility trailers, and boat trailers as otherwise provided for in this section.

(c) The department may issue special farm vehicle licenses to farmers for pick-up and stake body farm trucks with a load capacity of not more than two tons for an annual fee of \$10.00.

(d)1 For every housetrailer, the annual fee shall be six dollars. The State Highway Department shall classify as a housetrailer every trailer or semitrailer which is designed, constructed and equipped as a dwelling, living abode, or sleeping place (either permanently or temporarily) and is equipped for use as a conveyance on streets or highways; or a trailer or semitrailer of similar nature whose chassis and exterior shell is designed and constructed for use either permanently

or temporarily for advertising, sales, display or promotion of merchandise or services or for any other commercial purpose except the transportation of property for hire or the transportation of property for distribution by a private carrier. The State Highway Department may not license and register a housetrailer which exceeds the permissible size limitations prescribed in Sections 46-654, 46-657 and 46-657.1 of the 1952 Code, as amended; but such housetrailer which may be permitted to be moved over the highways by the State Highway Department under special permits issued pursuant to Section 46-667 shall pay to the said department a fee of five dollars per trip.

(d)2 For every utility trailer the annual fee shall be five dollars. The Department shall classify as a utility trailer every trailer or semi-trailer designed for and towed by a private passenger automobile use of which is confined to private hauling of personal property. No semi-trailer or pole trailer weighing less than five hundred pounds with load capacity of less than one thousand pounds need be registered or licensed."

SECTION 2. Section 46-75, 1952 Code, amended—notify Highway Department if vehicle transferred—plates may be transferred.—Section 46-75, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 46-75. (a) Whenever the owner of a registered and licensed vehicle transfers his ownership therein, he shall immediately notify the department, in writing, giving the name and address of the new owner and the date of transfer. Except as otherwise provided for in this section, the license plates issued for the vehicle shall remain attached to the vehicle except that if the vehicle is registered and licensed in the name of the state, any department, agency, or political subdivisions of the state or any department or agency of such a subdivision and a reduced registration and license fee has been paid, the owner shall return the registration card and the plate issued for the vehicle to the department for cancellation, unless the transfer is made to another like agency qualified to obtain a registration and license of the vehicle at the reduced rate.

(b) The department may upon application being made therefor and the payment of a fee of one dollar, transfer the license plates previously issued to an owner for one vehicle to another vehicle of the same classification owned by the same person."

SECTION 3. Section 46-103, 1952 Code, amended—Highway Department may make reciprocity agreements with other states.—

Section 46-103, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 46-103. Notwithstanding any provisions of this chapter, the department may grant to any other state, country, territory, or district reciprocity with respect to the operation of any vehicles in this State without being registered and licensed under the provisions of this chapter if such other state, country, territory or district extends under its laws, rules and regulations like privileges to vehicles registered and licensed in this State subject to the conditions that every such vehicle is at all times, when operated in this State, duly registered or licensed in such state, territory, district or country in accordance with the lawful requirements of such state, country, territory or district, and that there is displayed thereon a valid registration card and registration or license plate or plates."

SECTION 4. Section 46-665, 1952 Code, amended—transportation vehicles—load capacities—unloaded or empty weight.—Section 46-665, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 46-665. The department upon registering any vehicle, under the laws of this State, which is designed and used primarily for the transportation of property or for the transportation of ten or more persons may require such information and may make such investigation or tests as necessary to enable it to determine whether the vehicle may safely be operated upon the highways in accordance with all the provisions of this chapter. The department may register every such vehicle for a load capacity which, added to the empty or unloaded weight of the vehicle, will have permissible gross weight not exceeding the limitations set forth in this chapter and it shall be unlawful for any person to operate any vehicle or combination of vehicles with load capacity in excess of that for which it is registered by the department or in excess of the limitations set forth in this chapter. To effectuate the provisions of this section, every person making application for a motor vehicle license for every such vehicle shall declare, in the form prescribed by the department, the true unloaded or empty weight of every such vehicle and on every such vehicle having an actual unloaded or empty weight of over five thousand pounds the owner shall stencil or mark in a conspicuous place on the vehicle the true unloaded or empty weight."

SECTION 5. Section 46-33, 1952 Code, amended—passenger-carrying vehicles defined.—Section 46-33, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 46-33. The Department shall classify as a passenger-carrying vehicle every motor vehicle, trailer, semitrailer, and every such vehicle, except a motorcycle or motor-driven cycle, which is designed, used and maintained for the transportation of persons but not operated for the transportation of persons for compensation, except such vehicles which are used exclusively for transporting persons to and from schools, Sunday schools, churches and religious services of any kind or to or from picnics or specially pre-arranged excursions.”

SECTION 6. Section 46-63, 1952 Code, repealed.—Section 46-63, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 7. Sections 58-1438 and 58-1439, 1952 Code, amended—Highway Commission may adjust fees for certain certificate holders.—Sections 58-1438 and 58-1439 of the Code of Laws of South Carolina, as amended, are hereby further amended by adding at the end of each section the following:

“*Provided*, however, that the Commission within its discretion may pro-rate and adjust any portion or all of the above fees, as between vehicles and units of various types.”

SECTION 8. Time effective.—This act shall become effective with the registration and licensing year beginning November 1, 1959.

Approved the 18th day of May, 1959.

An Act To Authorize The South Carolina Highway Department, In Its Discretion, To Provide Access Facilities To Any State Highway From Any Public Small Boat Landing On Or Adjacent To Any Right Of Way Of The Department, Under Agreement With Any County Of This State Upon Condition That The Landing Shall Be Constructed And Maintained By The County; And To Provide That Persons Using Such Facilities Shall Do So At Their Own Risk, The Immunity Of The State Of South Carolina, The South Carolina Highway Department And The Counties Being Expressly Reserved.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Highway Department may construct access facilities to certain public boat landings—costs.—The South Carolina Highway Department, in its discretion, may enter into and carry out agreements with the governing body of any county providing that the Highway Department may construct ways, spurs or ramps on any of its rights of way providing access from any State highway to any public landing on any waters whenever such landings have been or hereafter shall be constructed and maintained by any county. *Provided*, that the costs of any such ways, spurs or ramps shall be borne by the maintenance fund allocated to any such county by the Highway Department.

SECTION 2. Persons to use facilities at own risk.—Any persons using the ways, ramps, spurs, landings or facilities shall do so at their own risk, the immunity of the State of South Carolina, the South Carolina State Highway Department and any county involved being expressly retained. The provisions of Sections 229 through 234 and Sections 921 through 926 of Title 33 of the 1952 Code, as amended, and any laws waiving such immunity are declared inapplicable hereto.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R425, H1720)

No. 242

An Act To Provide Interest On Delinquent Taxes After Executions Have Been Issued In Horry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Interest to be charged on delinquent taxes in Horry County.—After the Treasurer of Horry County has issued his tax execution for delinquent taxes, assessments and penalties against the property of a defaulting taxpayer, interest of one-half of one

per cent on the amount of the execution shall be charged for each month or fraction of a month such execution is unsatisfied.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R426, H1721)

No. 243

An Act To Declare The Area Known As Windy Hill Beach In Horry County A Bird Sanctuary, And To Provide Penalties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Windy Hill Beach to be bird sanctuary.—The area known as Windy Hill Beach in Horry County is declared to be a bird sanctuary. It shall be unlawful for anyone to kill or maim any bird within such sanctuary.

SECTION 2. Penalties.—Anyone violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not to exceed twenty dollars or imprisoned for a period not to exceed five days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R427, H1724)

No. 244

An Act Abolishing The Board Of Education Of Saluda County And Devolving Its Duties Upon A Board Of Trustees And Dividing The County Into Voting Areas And Providing For Advisory Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Saluda County—board of education abolished—duties devolved upon new board of trustees—members—voting areas for election of—terms—appointment.—The terms of office of the Board of Education and the Boards of Trustees of Saluda County shall be terminated upon the election and qualification for office of their successors as provided by this act. The Board of Education of Saluda County is hereby abolished as provided herein and all duties and responsibilities heretofore required of the board of education are hereby devolved upon a board of trustees which in addition to these duties shall also continue to perform all duties heretofore required of the board of trustees, and such board of trustees shall consist of nine members as follows: the superintendent of education of the county shall be a member of the board, ex officio; however, he shall have no vote except in case of a tie where all members of the board are present and have voted. For the purposes of this act Saluda County is divided into the following voting areas from which the remaining membership on the board of trustees shall be appointed: Voting Area No. 1 shall include that part of the county encompassed by Saluda Box No. 1; Voting Area No. 2 shall include that part of the county known as the Hollywood Attendance Area; Voting Area No. 3 shall include that portion of the county which is bounded on the east by the western boundary of the Hollywood Attendance Area to a point where the boundary of the Hollywood Attendance Area intersects State Highway No. 194 and thence south along State Highway 194 to the intersection of State Highway 194 and the boundary of Saluda Box No. 1, and bounded on the west by the eastern boundary of State Highway No. 39 and State Highway No. 702 between the Town of Saluda and the northwest boundary of the county; Voting Area No. 4 shall include that portion of the county between the eastern boundary of State Highway No. 39 and State Highway No. 702 north of the Town of Saluda and the western boundary of State Highway No. 19 going south; Voting Area No. 5 shall include that portion of the county between the junction of State Highway 194 northeast of the Town of Saluda and the boundary of the Hollywood Attendance Area and the eastern boundary of Saluda Box No. 1 and State Highway No. 19 south of the Town of Saluda and the eastern boundary of the Hollywood Attendance Area.

The voting areas described herein are exclusive of areas embodied in the Ridge Spring School District No. 2 and Saluda School Dis-

trict No. 3. Two members of the board shall be residents of Voting Area No. 1; three members of the board shall be residents of Voting Area No. 2; one member shall be a resident of Voting Area No. 3; one member shall be a resident of Voting Area No. 4; and one member shall be a resident of Voting Area No. 5. The terms of office of the members of the board shall be for four years except that the terms of those first appointed shall be staggered as follows: one from Voting Area No. 1, one from Voting Area No. 2, one from Voting Area No. 3, and one from Voting Area No. 4 shall be for two years with their terms of office expiring on June 30, 1961, and the terms of office of those first appointed for four years shall expire on June 30, 1963. Thereafter terms of all members shall be for four years and shall expire on June thirtieth of the year in which the term of office terminates. The members of the board shall be appointed by the Governor upon the recommendation of the Legislative Delegation of Saluda County.

SECTION 2. Meetings—officers.—The board of trustees shall meet as soon as practicable after appointment and shall organize itself by electing one of its members as chairman, for which the superintendent of education shall be eligible. Such other officers as considered necessary may also be elected. Thereafter the board shall meet upon the call of the chairman or a majority of the members. The term of office of the chairman shall be for one year; however, he may be eligible for reelection.

SECTION 3. Compensation—expenses.—The board shall be allowed ten dollars for each meeting. *Provided*, however, that members shall not be paid for more than five meetings during any fiscal year. All expenses of such meetings shall be paid from the contingent fund of the county upon vouchers approved by the county legislative delegation and signed by the chairman.

SECTION 4. Elections — conduct of — results.—The Board of Election Commissioners of Saluda County shall hold an election on the second Tuesday in August, 1959, and again on the second Tuesday in June, 1961, and thereafter similar elections shall be held by the board of election commissioners on the second Tuesday in June every two years. Only the following precincts shall be used in the election provided for in this act: Clyde; Higgins; Hollywood; Mayson; Mt. Willings; Oak Grove; Pleasant Grove; Red Hill; Saluda No. 1; Monetta; Ridge Spring; Ward; and Zoar.

The elections shall be advertised in a newspaper having general circulation in the county at least thirty days prior to the holding of the elections and shall designate the places of voting in each area. Candidates for vacancies on the board shall be qualified electors residing within the boundaries of the particular voting area which they seek to represent, and shall be voted on by qualified electors residing in the particular voting area only. In Voting Area No. 1 the person receiving the highest number of votes in the first election to be held pursuant to the terms of this act shall be appointed for a term of four years, and the person receiving the next highest number of votes shall be appointed for a term of two years; in Voting Area No. 2 the two persons receiving the highest number of votes in said election shall be appointed for terms of four years and the person receiving the next highest number of votes shall be appointed for a term of two years. In voting Area No. 3 the first person elected pursuant to the terms of this act shall be appointed for a term of two years. In voting Area No. 4 the first person elected pursuant to the terms of this act shall be for a term of two years. In Voting Area No. 5 the first person elected pursuant to the terms of this act shall be for a term of four years. Those persons desiring to be candidates shall file their names with the board of commissioners of election at least fifteen days prior to the election in such manner as may be prescribed by the board. The board shall have full charge of the election and shall have a sufficient number of ballots distributed at each voting place, and shall provide box managers and other officials who shall be paid at the rates prescribed for such officials in Section 23-601, Code of Laws of South Carolina, 1952, such sums to be paid from the contingent fund of the county upon vouchers approved by the legislative delegation of the county and signed by the chairman of the board of commissioners of election. The votes shall be canvassed and the results announced by the commissioners who shall certify the results to the county legislative delegation. The results shall be advisory only and shall not constitute an election.

SECTION 5. Advisory Board of Education of Ridge Spring School District 2—terms of present and new members—elections—duties.—The terms of office of the members of the Advisory Board of Education of the Ridge Spring School District No. 2 shall terminate on August 11, 1959, at which time their successors in office will be appointed in the same manner as provided by this act for the Board of Trustees of Saluda County. They shall be ap-

pointed for terms of office of four years except that the terms of those first appointed shall terminate on June 30, 1963. Thereafter their terms shall terminate on June thirtieth of the year in which the term expires. Candidates for appointment shall offer as candidates in the elections to be held pursuant to the terms of this act by the board of election commissioners, under the same terms and conditions as provided for the members of the board of trustees of the county. The results of these elections shall be advisory only. Candidates shall be qualified electors residing in the Ridge Spring School District No. 2 and shall be voted on by qualified electors residing in the district only. In each election the two candidates receiving the highest number of votes shall be designated.

The two members of the Advisory Board of Education of Ridge Spring School District No. 2 shall sit with, and be a part of, the Board of Trustees of Saluda County when financial matters involving Ridge Spring School District No. 2 are being considered by the board.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R428, H1728)

No. 245

An Act Authorizing The Judge Of Probate For Chesterfield County To Appoint A Deputy Judge Of Probate.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chesterfield County Judge of Probate may appoint deputy.—The Judge of Probate of Chesterfield County may appoint a deputy judge of probate. Such appointment shall be evidenced by a certificate thereof signed by the judge of probate and filed in the office of the clerk of court of the county.

SECTION 2. Oath and duties.—Before entering upon the duties of deputy judge of probate, such deputy shall take the oath prescribed by the constitution and when so qualified, the deputy may do and perform

all of the duties appertaining to the office of his principal, and all acts, judgments, decrees, orders, licenses and any and every act or deed necessary to the orderly discharge of the duties and powers of the office of the Probate Judge of Chesterfield County, when done in the name of the judge of probate by his deputy judge of probate as such shall have the same force and effect in law as if performed by the judge of probate in person.

SECTION 3. Bond.—The deputy judge of probate, before entering upon the discharge of his duties, shall enter into a bond as required of the judge of probate and in the same sum as that of the judge of probate, conditioned for the faithful discharge of his duties, the premiums on which bond shall be paid for by the judge of probate. The bond shall be filed in the office of the clerk of court of the county.

SECTION 4. Term.—The deputy judge of probate shall continue in office during the pleasure of the Judge of Probate for Chesterfield County.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R433, H1575)

No. 246

An Act To Amend Section 32-1515, Code Of Laws Of South Carolina, 1952, Relating To Adulteration Of Nonalcoholic Drinks, So As To Further Define Adulteration.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 32-1515, 1952 Code, amended—soft drinks not to be adulterated.—Section 32-1515, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 32-1515. Soft drinks shall not be adulterated. Nonalcoholic drink shall be deemed to be adulterated if it contains any chemical, drug, or compound, natural or synthetic, which is beyond the safety limit as listed in the United States Pharmacopoeia, the

National Formulary, or other official compendium and which does not meet the requirements of the Federal Food and Drug Administration.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R453, H1753)

No. 247

An Act To Amend Section 65-1832, Code Of Laws Of South Carolina, 1952, As Amended, Providing For A County Board Of Tax Assessors For Marlboro County, Its Powers And Duties, So As To Further Provide Therefor; And To Repeal Section 65-1833, Code Of Laws Of South Carolina, 1952, Providing For An Executive Secretary And Assistant Tax Assessors.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-1832, 1952 Code, amended—Marlboro County Board of Tax Assessors—duties—members—appointment—terms—compensation and expenses.—Section 65-1832, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows :

“Section 65-1832. In Marlboro County the duties relative to the valuation, assessment, and return of properties for taxation are hereby devolved upon a board to be known as the County Board of Tax Assessors, which shall be composed of five members, all of whom shall be qualified electors of Marlboro County. The board of tax assessors shall be appointed by the Governor upon recommendation of a majority of the County Legislative Delegation, including the Senator, and shall serve for a term of two years. The board shall appoint assistant tax assessors in such number and for such length of service as is authorized by the Legislative Delegation. The compensation and expenses of the board of tax assessors and assistant tax assessors shall be such as is provided therefor by the Legislative Delegation.

The board of assessors or their designated representatives shall inspect every piece of real property in the county and fairly and

impartially assess the value thereof for each year in which real estate is by law required to be returned for taxation, and in all other years the board shall inspect and assess the value of all real estate and improvements thereon not previously assessed for taxation, and make such changes, by way of increase or decrease, in the valuation of any taxable property as returned by any person or as fixed by the county auditor, as may in its judgment be necessary or proper to conform with the methods, policies, rules and regulations of the board of assessors; and from time to time, whenever in its judgment it shall appear necessary, re-assess any or all taxable property so as to reflect its proper valuation."

SECTION 2. Not to relieve auditor of duties provided by law.—

Nothing contained herein shall be construed so as to relieve the county auditor or any other official of any duties now prescribed by law.

SECTION 3. Repeal.—Section 65-1833, 1952 Code, repealed.—

Section 65-1833, Code of Laws of South Carolina, 1952, providing for an executive secretary and assistant tax assessors, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R436, H1655)

No. 248

An Act To Amend Act No. 431 Of The Acts Of 1957, Relating To The Florence County Industrial Loan And Development Commission, So As To Change The Provisions For A Secretary To The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 431 of 1957, amended—Florence County Industrial Loan and Development Commission created—members—appointments—terms—employ secretary—chairman—meetings.—Section 1 of Act No. 431 of the Acts of 1957 is amended to read as follows :

"Section 1. There is hereby created the Florence County Industrial Loan and Development Commission. The commission shall be composed of twelve members. Five of these members shall be appointed by the Governor upon the recommendation of the Senator and a majority of the members of the House of Representatives from Florence County. The other seven members shall be the mayors of the seven incorporated municipalities of Florence County, to wit: Florence, Lake City, Timmons ville, Olanta, Pamplico, Johnsonville and Scranton. Should the mayor of any of these municipalities desire, he may appoint another resident of the municipality to serve in his place, which appointment shall be in writing and shall be furnished to and filed with the commission. The five members appointed by the Governor shall each have one vote with the other seven members having a one-half vote each. The commission may select a secretary whose duties shall be as directed by the commission. The members appointed by the Governor shall serve for a period of two years or until their successors have been appointed and qualify. *Provided*, however, the first term of two of these members shall be by appointment for a term of one year, after which their successors shall be appointed for a regular term of two years. The members from the municipalities or the appointees of the mayor shall serve during the particular term of the mayor.

All members of the commission shall serve without compensation.

After the appointment of all five members to the commission, it shall meet and the voting members shall elect a chairman and draw up bylaws and rules of procedure, which the commission shall file in the office of the Clerk of Court for Florence County. The meetings of the commission shall be held at a time and place designated by the chairman or upon the written request of three members of the commission, *provided*, however, that at least one meeting shall be held during each quarter of the calendar year."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R437, H1696)

No. 249**An Act To Increase The Number Of Petit Jurors In Cherokee County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Number of petit jurors for Cherokee County.—Notwithstanding the provisions of Section 38-61, Code of Laws of South Carolina, 1952, as amended, the Cherokee County Jury Commissioners shall draw forty petit jurors.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R438, H1697)

No. 250**An Act To Provide For Compensation Of Jurors In Magistrates' Courts In Cherokee County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Cherokee County—compensation of jurors in magistrates' courts.—Each member of a magistrate's jury in Cherokee County shall be paid the sum of two dollars and fifty cents per day for actual attendance upon any trial.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R440, H1700)

No. 251

An Act To Create A County Board Of Tax Assessors In Edgefield County And The Edgefield County Tax Board Of Appeals And To Provide For The Powers And Duties Of Such Boards.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. County Board of Tax Assessors created for Edgefield County—members—terms—appoint tax assessor—expenses.

—In Edgefield County the duties relative to the valuation, assessment, and return of properties for taxation are hereby devolved upon a board known as the County Board of Tax Assessors, which shall be composed of five members, all of whom shall be qualified electors, as follows: one member from the City of Edgefield, one member from the Town of Johnston, one member from the Town of Trenton, and two members from the county at large. The members of the board of tax assessors shall be appointed by the Legislative Delegation, and shall serve for a term of two years and until their successors are appointed and qualified. The board shall appoint a full time tax assessor whose duties shall be prescribed by the board. The compensation and expenses of the board and of the tax assessor shall be such as is provided in the annual county supply act.

SECTION 2. Edgefield County Tax Board of Appeals created—members—terms — compensation — duties — meetings.—There is hereby created the Edgefield County Tax Board of Appeals composed of three prominent persons who shall be appointed by the Governor upon the recommendation of the County Legislative Delegation for terms of two years each, and until their successors are appointed and qualified, and who shall receive such compensation as provided in the annual county supply act. The powers and duties of the Edgefield County Board of Equalization are hereby devolved upon the Edgefield County Tax Board of Appeals. The board shall meet at such times as it is called into session by the county auditor, provided that the time employed shall not exceed twenty days in any one year. No appeal shall be heard by the board until first presented to the county board of tax assessors. Nothing contained in this section shall be construed so as to interfere with the right of appeal to the South Carolina Tax Commission, the Comptroller General, or to the courts.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R442, H1073)

No. 252

An Act To Amend Section 10-451, Code Of Laws Of South Carolina, 1952, Relating To Service Of Process In Adoption Proceedings, So As To Provide For Service On Nonresidents.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 10-451, 1952 Code, amended—when service of process may be made by publication in adoption proceedings.—Section 10-451, Code of Laws of South Carolina, 1952, is amended by adding an additional subsection as follows :

“(5) When the defendant is a party to an adoption proceeding and is either a nonresident or upon whom service cannot be had within the State after due diligence.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R443, H1336)

No. 253

An Act To Provide For The Regulation Of The Ownership And Operation Of Boats And Related Equipment On The Waters Of This State; To Provide Penalties For Violations; To Establish The Division Of Boating Within The Wildlife Resources Department; To Make Appropriation For Such Establishment; To Prohibit Local Regulations In Conflict With This Act; And To Repeal Act No. 209 Of The Acts Of 1955 And Act No. 111 Of

The Acts Of 1957, Relating To The Operation Of Boats On The Public Waters Of This State; To Provide For Future Expenditures And To Provide For Certain Approvals By The Budget And Control Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Public policy of State relating to vessels.—It is the public policy of this State to promote safety for persons and property in and connected with the use, operation and equipment of vessels and to promote uniformity of laws relating thereto.

SECTION 2. Administration of act vested in Wildlife Resources Department—Division of Boating—employ director and other personnel—safety education program.—The administration of this act shall be vested in South Carolina Wildlife Resources Department, which department shall set up a division of the department known as the Division of Boating, hereinafter referred to as the "Division."

(a) The South Carolina Wildlife Resources Commission shall employ a director and shall employ or assign such clerical, administrative, technical and enforcement personnel as may be required to carry out the provisions of this act, and shall determine the salaries of such personnel and terms and conditions of employment.

(b) The department shall carry out a program of safety education and training in the operation of motor boats in addition to assisting in the training of local law enforcement officers in the proper enforcement of this act.

(c) Wherever the word "division" is specified in this act, it shall mean the South Carolina Wildlife Resources Department through the Division of Boating.

SECTION 3. Definitions.—As used in this act, unless the context clearly requires a different meaning :

(1) "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

(2) "Motorboat" shall mean any vessel propelled by machinery of ten horsepower or more, whether or not such machinery is the principal source of propulsion, but shall not include a vessel which has a valid marine document issued by the Bureau of Customs of the United States Government or any federal agency successor thereto.

(3) "Owner" means a person, other than a lien holder, having the property in or title to a motorboat. The term includes a person entitled to the use or possession of a motorboat subject to an interest in another person, reserved or created by agreement and securing payment or performance of an obligation, but the term excludes a lessee under a lease not intended as security.

(4) "Waters of this State" means any waters within the territorial limits of this State, and the marginal sea adjacent to this State and the high seas when navigated as a part of a journey or ride to or from the shore of this State.

(5) "Person" means an individual, partnership, firm, corporation, association, or other entity.

(6) "Operate" means to navigate or otherwise use a motorboat or a vessel.

SECTION 4. Boats to be numbered—display of number.—No person shall operate or give permission for the operation of any motorboat on the waters of this State unless the motorboat is numbered in accordance with this act, or in accordance with applicable federal law, or in accordance with a federally-approved numbering system of another state, and unless (1) the certificate of number awarded to such motorboat is in full force and effect, and (2) the identifying number set forth in the certificate of number is displayed on each side of the bow of such motorboat.

SECTION 5. Application for number—fee—issuance—display of—size of—numbers issued prior to act—change of ownership U. S. Government numbering system, effect of—issue of block of numbers—records—numbers valid for three years—renewal date—effect of transfer, destruction, or abandonment of numbered motorboat—change of address of number holder—no other numbers to be displayed.—(a) The owner of each motorboat requiring numbering by this act shall file an application for a number with the Division on forms approved by it. The application shall be signed by the owner of the motorboat and shall be accompanied by a fee of five dollars. Upon receipt of the application in approved form, the Division shall enter the same upon the records of its office and issue to the applicant a certificate of number stating the number awarded to the motorboat and the name and address of the owner. The owner shall paint on or attach to each side of the bow of the motorboat the identification number in such manner as may be prescribed by rules and

regulations of the Division in order that it may be clearly visible. The letters shall be of not less than four inches in height and shall be maintained in legible condition. The certificate of number shall be pocket size and shall be available at all times for inspection on the motorboat for which issued, whenever such motorboat is in operation.

(b) The owner of any motorboat already covered by a number in full force and effect which has been awarded to it pursuant to then operative federal law or a federally-approved numbering system of another state shall record the number prior to operating the motorboat on the waters of this State in excess of the ninety day reciprocity period provided for in section 7 (1) of this act. Such recordation shall be in the manner and pursuant to the procedure required for the award of a number under sub-paragraph (a) of this section, except that no additional or substitute number shall be issued.

(c) Should the ownership of a motorboat change, a new application form with the fee, or, in the discretion of the Division, a prorated portion thereof shall be filed with the Division and a new certificate of number shall be awarded in the same manner as provided for in an original award of number.

(d) In the event that an agency of the United States Government shall have in force an over-all system of identification numbering for motorboats within the United States, the numbering system employed pursuant to this act by the Division shall be in conformity therewith.

(e) The Division may award any certificate of number directly or may authorize any person to act as agent for the awarding thereof. In the event that a person accepts such authorization, he may be assigned a block of numbers and certificates therefor which upon award, in conformity with this act and with any rules and regulations of the Division shall be valid as if awarded directly by the Division.

(f) All records of the Division made or kept pursuant to this section shall be public records.

(g) Every certificate of number awarded pursuant to this act shall continue in full force and effect for a period of three years unless sooner terminated or discontinued in accordance with the provisions of this act. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of the same.

(h) The Division shall fix a day and month of the year on which certificates of number due to expire during the calendar year shall lapse and no longer be of any force and effect unless renewed pursuant to this act.

(i) The owner shall furnish the Division notice of the transfer of all or any part of his interest other than the creation of a security interest in a motorboat numbered in this State pursuant to subparagraph (a) and (b) of this section or of the destruction or abandonment of such motorboat, within fifteen days thereof. Such transfer, destruction, or abandonment shall terminate the certificate of number for such motorboat except, that in the case of a transfer of a part interest which does not affect the owner's right to operate such motorboat, such transfer shall not terminate the certificate of number.

(j) Any holder of a certificate of number shall notify the Division within fifteen days, if his address no longer conforms to the address appearing on the certificate and shall, as a part of such notification, furnish the Division with his new address. The Division may provide in its rules and regulations for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or for the alteration of an outstanding certificate to show the new address of the holder.

(k) No number other than the number awarded to a motorboat or granted reciprocity pursuant to this act shall be painted, attached, or otherwise displayed on either side of the bow of such motorboat.

SECTION 6. Equipment required aboard motorboat.—Every motorboat shall have aboard:

(1) One life preserver, buoyant vest, ring buoy or buoyant cushion of the type approved by the Commandant of the United States Coast Guard in good and serviceable condition for each person on board;

(2) At least one paddle or one set of oars; except that this requirement shall not apply to any motorboat which it is manifestly impractical to propel with paddles or oars;

(3) When in operation during hours of darkness, a light sufficient to make the motorboat's presence and location known to any and all other vessels within a reasonable distance;

(4) If carrying or using any inflammable or toxic fluid in any enclosure for any purpose, and if not an entirely open motorboat, an efficient natural or mechanical ventilation system which shall be capable of removing resulting gases prior to, and during, the time such motorboat is occupied by any person;

(5) Such additional equipment designed to promote the safety of navigation and of persons as the Division may find to be appropriate and for which it has provided in its rules and regulations.

No person shall operate or give permission for the operation of a motorboat which is not equipped as required by this section or modification thereof.

SECTION 7. Certain motorboats exempt from numbering requirements.—A motorboat shall not be required to be numbered under this act if it is:

(1) Already covered by a number in full force and effect which has been awarded to it pursuant to federal law or a federally-approved numbering system of another state; *provided*, that such boat shall not have been within this State for a period in excess of ninety consecutive days.

(2) A motorboat from a country other than the United States temporarily using the waters of this State.

(3) A motorboat whose owner is the United States, a state or a subdivision thereof.

(4) A ship's lifeboat.

(5) A motorboat belonging to a class of boats which has been exempted from numbering by the Division after said agency has found that the numbering of motorboats of such class will not materially aid in their identification; and, if an agency of the federal government has a numbering system applicable to the class of motorboats to which the motorboat in question belongs, after the Division has further found that the motorboat would also be exempt from numbering if it were subject to the federal law.

SECTION 8. Records to be kept by owners of boat liveries.—

(a) The owner of a boat livery shall cause to be kept a record of the name and address of the person or persons hiring any vessel which is designed or permitted by him to be operated as a motorboat; the identification number thereof; and the departure date and time, and the expected time of return. The record shall be preserved for at least six months.

SECTION 9. Exhausts to be muffled—exceptions.—The exhaust of every internal combustion engine used on any motorboat shall be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner. The use of cutouts is prohibited, except for motorboats competing in a regatta or boat race approved as provided in section 14 of this act.

SECTION 10. Reckless operation of motorboats prohibited—operation while intoxicated or drugged prohibited.—(a) No per-

son shall operate any motorboat or vessel, or manipulate any water skis, surfboard, or similar device in a reckless or negligent manner so as to endanger the life, limb, or property of any person.

(b) No person shall operate any motorboat or vessel, or manipulate any water skis, surfboard, or similar device while intoxicated or under the influence of any narcotic drug, barbiturate or marijuana.

SECTION 11. Duty to assist persons involved in accidents—operator of boat to report certain accidents.—(a) It shall be the duty of the operator of a vessel involved in a collision, accident, or other casualty, so far as he can do so without serious danger to his own vessel, crew, and passengers (if any), to render to other persons affected by the collision, accident, or other casualty such assistance as may be practicable and as may be necessary in order to save them from or minimize any danger caused by the collision, accident, or other casualty, and also to give his name, address, and identification of his vessel in writing to any person injured and to the owner of any property damaged in the collision, accident, or other casualty.

(b) In the case of collision, accident, or other casualty involving a vessel, the operator thereof, if the collision, accident, or other casualty results in death or injury to a person or damage to property in excess of one hundred dollars shall file with the Division a full description of the collision, accident, or other casualty, including such information as the Division may, by regulation, require.

SECTION 12. Boating Division to furnish information to agencies of U. S.—In accordance with any request duly made by an authorized official or agency of the United States, any information compiled or otherwise available to the Division pursuant to Section 11 (b) shall be transmitted to said official or agency of the United States.

SECTION 13. Restrictions on operation of motorboats towing persons on water skis, surfboards or aquaplanes—professional performers excepted.—(a) No person shall operate a motorboat on any waters of this State for towing a person or persons on water skis, or an aquaplane, or similar device unless there is in such motorboat a person, in addition to the operator, in a position to observe the progress of the person or persons being towed or such motorboat is equipped with a wide-angle rear view mirror mounted in such a manner as to permit the operator of the motorboat to observe the progress of the person or persons being towed.

(b) No person shall operate a vessel on any waters of this State towing a person or persons on water skis, a surfboard, or similar device, nor shall any person engage in water skiing, surfboarding, or similar activity at any time between the hours from one hour after sunset to one hour before sunrise.

(c) The provisions of subparagraphs (a) and (b) of this section do not apply to a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized under section 14 of this act.

(d) No person shall operate or manipulate any vessel, tow rope or other device by which the direction or location of water skis, a surfboard, or similar device may be affected or controlled in such a way as to cause the water skis, surfboard, or similar device, or any person thereon to collide with or strike against any object or person.

SECTION 14. Regattas, races, marine parades, tournaments or exhibitions may be held upon application to Division—application not to exempt Federal requirements—not applicable if Federal permits secured.—(a) The Division may authorize the holding of regattas, motorboat or other boat races, marine parades, tournaments or exhibitions on any waters of this State. It shall adopt and may, from time to time, amend regulations concerning the safety of motorboats and other vessels and persons thereon, either observers or participants. Whenever a regatta, motorboat or other boat race, marine parade, tournament or exhibition is proposed to be held, the person in charge thereof, shall at least fifteen days prior thereto, file an application with the Division for permission to hold such regatta, motorboat or other boat race, marine parade, tournament or exhibition. The application shall set forth date, time and location where it is proposed to hold such regatta, motorboat or other boat race, marine parade, tournament or exhibition, and it shall not be conducted without authorization of the Division in writing.

(b) The provisions of this section shall not exempt any person from compliance with applicable federal law or regulation, but nothing contained herein shall be construed to require the securing of a state permit pursuant to this section if a permit therefor has been obtained from an authorized agency of the United States.

SECTION 15. Act to govern all matters relating to vessels operated on waters of State—identical ordinances authorized—subdivisions may obtain special rules and regulations.—(a) The

provisions of this act, and of other applicable laws of this State shall govern the operation, equipment, numbering and all other matters relating thereto whenever any vessel shall be operated on the waters of this State, or when any activity regulated by this act shall take place thereon; but nothing in this act shall be construed to prevent the adoption of any ordinance or local law relating to operation and equipment of vessels the provisions of which are identical to the provisions of this act, amendments thereto or regulations issued thereunder; *Provided*, that such ordinances or local laws shall be operative only so long as and to the extent that they continue to be identical to provisions of this act, amendments thereto or regulations issued thereunder.

(b) Any subdivision of this State may, at any time, but only after three days public notice, make formal application to the Division for special rules and regulations with reference to the operation of vessels on any waters within its territorial limits and shall set forth therein the reasons which make such special rules or regulations necessary or appropriate.

(c) The Division is hereby authorized to make special rules and regulations with reference to the operation of vessels on any waters within the territorial limits of any subdivision of this State.

SECTION 16. Owners liable for negligent operation resulting in damage—exceptions to such liability—presumptions of liability—recovery limited to actual damages—others may be liable—operators of boats rented from boat liveryes liable as owners.—The owner of a vessel shall be liable for any injury or damage occasioned by the negligent operation of such vessel, whether such negligence consists of a violation of the provisions of the statutes of this State, or neglecting to observe such ordinary care and such operation as the rules of the common law require. The owner shall not be liable, however, unless such vessel is being used with his or her express or implied consent. It shall be presumed that such vessel is being operated with the knowledge the consent of the owner, if at the time of the injury or damage, it is under the control of his or her spouse, father, mother, brother, sister, son, daughter, or other immediate member of the owner's family. Nothing contained herein shall be construed to relieve any other person from any liability which he would otherwise have, but nothing contained herein shall be construed to authorize or permit any recovery in excess of injury or damage actually incurred. *Provided*, the owner of boat liveryes

shall not be liable as an owner as provided herein and in case of any negligent injury or damage occasioned by the operation of a vessel rented or hired from a boat livery, the operator of the vessel shall be liable as owner thereof.

SECTION 17. Peace officers of state and subdivisions may enforce act.—Every peace officer of this State and its subdivisions shall have the authority to enforce the provisions of this act and in the exercise thereof shall have the authority to stop and board any vessel subject to this act.

SECTION 18. Penalties.—(a) Any person who violates any provision of Section 4, 5, 6, 9, 11, and 14 of this act shall be guilty of a misdemeanor and shall be subject to a fine of not less than ten dollars and not to exceed fifty dollars for each such violation.

(b) Any person who violates any provision of Sections 8 and 13 of this act shall be guilty of a misdemeanor and shall be subject to a fine of not less than twenty-five dollars and not to exceed one hundred dollars for each such violation.

(c) Any person who violates any provision of Section 10 of this act shall be guilty of a misdemeanor and shall be subject to a fine of not less than fifty dollars, or not less than thirty days imprisonment.

SECTION 19. Disposition of fees and fines.—All fees or fines collected pursuant to this act shall be held and utilized for the purpose of paying the expenses of the Division. Twenty-five (25) percent of all fines shall be retained by the county in which the fine is levied.

SECTION 20. Appropriations.—The sum of fifteen thousand dollars, or so much thereof as may be necessary, is appropriated from the General Fund of the State for the purpose of paying the initial cost of establishing the Division.

SECTION 21. Limitation on expenses.—The expenses and cost of administration of this act shall at no time exceed the revenue derived through the provisions of this act.

SECTION 22. Personnel expenses and salaries to be approved by Budget and Control Board.—The personnel to be employed for the enforcement of this act and all expenses and salaries in connection therewith shall first be submitted to and approved by the Budget and Control Board.

SECTION 23. Repeal—Act 209 of 1955 and 111 of 1957 repealed.—Act No. 209 of the Acts of 1955 and Act No. 111 of the Acts of 1957 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 24. Time effective.—This act shall become effective July 1, 1959, provided that the registration and numbering requirements shall become effective January 1, 1960.

Approved the 18th day of May, 1959.

(R444, H1416)

No. 254

An Act To Amend Section 46-42, 46-91, As Amended, And 46-93, Code Of Laws Of South Carolina, 1952, Relating To Motor Vehicle Dealers' Licenses And Dealer Demonstration License Plates, So As To Revise The Fee For Motor Vehicle Dealers' Licenses And Dealer Demonstration License Plates And Further Provide For Use Of Dealer Demonstration Plates.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-42, 1952 Code, amended—fee for dealer demonstration license.—Section 46-42, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 46-42. For every dealer demonstration license the annual fee shall be ten dollars, but this section shall not be construed to prevent any municipality from collecting a privilege license tax from such dealers.”

SECTION 2. Section 46-91, 1952 Code, amended—application for motor vehicle dealers' licenses expiration date of licenses—fees—penalty.—Section 46-91, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 46-91. Before engaging in the business of a motor vehicle dealer in this State every person shall first make application for a license to engage in such business to the Department on such form or forms as may be prescribed by the Department, which shall contain the name of the owner of such business and the exact location thereof. Every dealer license issued hereunder shall expire on October thirty-first next following the date the license is issued. The fee for

such license shall be twenty-five dollars. Every license issued hereunder shall cover the main place of business under the same name and ownership. Any motor vehicle dealer failing to secure license as required in this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined as herein specified."

SECTION 3. Section 46-93, 1952 Code, amended—motor vehicle license plates may be issued—use of plates—uses for certain purposes prohibited—use of "sold" cards.—Section 46-93, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 46-93. (a) The Department may issue to a duly licensed motor vehicle dealer, upon application being made therefor and the required fee being paid to the Department as provided in this chapter, dealer demonstration license plates. Such license plates, notwithstanding any provision of this chapter to the contrary, shall be used by the dealer purchasing them exclusively on vehicles owned by such dealers which are being offered for sale or which are being used as demonstrators of vehicles of like makes offered for sale; *provided*, that dealer demonstration plates may not be used on service or work vehicles of such dealers, nor on vehicles owned by such dealers which are kept primarily for personal use of the dealer, or any officer or employee of the dealer, or of any of their family. Also, dealer demonstrator plates may not be used on commercial vehicles except in transporting, testing or demonstrating same.

(b) Dealers selling vehicles may attach and display on vehicles which they sell a 'sold' card as evidence of such sale so as to indicate to any law enforcement officer the fact that such vehicle is being operated upon the highway pursuant to Section 46-15, which allows persons newly acquiring a vehicle ten days in which to register and license such vehicle. Such dealers' 'sold' cards shall have printed thereon the name and address of the dealer, the dealer's license number and the date of the sale of such vehicle."

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—Sections 1 and 2 of this act shall take effect on November first following approval by the Governor. Section 3 of this act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R445, H1424)

No. 255

An Act To Amend Chapter 2 Of Title 46, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Law On Licenses To Drive Motor Vehicles, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chapter 2, Title 46, 1952 Code amended, relating to licenses to drive motor vehicles.—Chapter 2 of Title 46, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows :

“CHAPTER 2

Licenses to Drive Motor Vehicles

Section 46-151—Definitions. For the purpose of this Chapter, the following words, phrases, and terms are hereby defined as follows :

Driver—Every person who drives or is in actual physical control of a vehicle.

Operator—Every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

Owner—A person, other than a lienholder, having the property or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

Department or Highway Department—The South Carolina State Highway Department.

State—A state, territory or possession of the United States and the District of Columbia.

Highway—The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

Motor Vehicle—Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

Motorcycle—Every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor. Said term shall include a motor scooter; or light motor driven cycle of five brake horse power or less.

Nonresident—Every person who is not a resident of this State.

Nonresident's operating privilege—The privilege conferred upon a nonresident by the laws of this State pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in this State.

Conviction—The term 'conviction' as used in this act shall include the entry of any plea of guilty, the entry of any plea of nolo contendere, and the forfeiture of any bail or collateral deposited to secure a defendant's appearance in court.

Cancellation of driver's license—The annulment or termination by formal action of the Department of a person's driver's license because of some error or defect in the license or because the licensee is no longer entitled to such license, but the cancellation of a license is without prejudice and application for a new license may be made at any time after such cancellation.

Revocation of driver's license—The termination by formal action of the Department of a person's driver's license or privilege to operate a motor vehicle on the public highways, which privilege to operate shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Department.

Suspension of Driver's license—The temporary withdrawal by formal action of the Department of a person's driver's license or privilege to operate a motor vehicle on the public highways, which temporary withdrawal shall be as specifically designated.

Section 46-152. Motor vehicle driver's license requirements.

(a) No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon a highway in this State unless such person has a valid motor vehicle driver's license issued to him under the provisions of this Chapter. No person shall receive a motor vehicle driver's license unless and until he surrenders to the State Highway Department all valid operator's licenses in his possession issued to him by any other state. All surrendered licenses shall be returned by the State Highway Department to the issuing department, agency, or political subdivision. No person shall be permitted to have more than one valid motor vehicle driver's license or operator's license at any time.

(b) Any person holding a currently valid motor vehicle driver's license issued hereunder may exercise the privilege thereby granted upon all streets and highways in the State and shall not be re-

quired to obtain any other license to exercise such privilege by any county, municipal, or local board, or body, having authority to adopt local police regulations; *provided*, however, that this provision shall not serve to prevent a county, municipal, or local board from requiring persons to obtain additional licenses to operate taxis, buses, or other public conveyances.

Section 46-153. What persons are exempt from licenses.

The following persons are exempt from licenses hereunder:

1. Any employee of the United States Government while operating a motor vehicle owned by or leased to the United States Government and being operated on official business, unless the employee is required by the United States Government or the Federal agency by which he is employed to have a State driver's license;

2. A nonresident who is at least sixteen years of age and who has in his immediate possession a valid operator's or chauffeur's license issued to him in his home state or country may operate a motor vehicle, but a person may not claim nonresidence exemption under this provision who does not maintain a permanent residence address in the state or country of which he holds a valid and current operator's or chauffeur's license at which he regularly receives his mail and which address is on file with the motor vehicle authorities of that state or country. Also, a person may not claim nonresidence exemption under this provision who for all other intents and purposes has or may remove his residency into this State;

3. Any nonresident who is at least eighteen years of age, whose home state or country does not require the licensing of operators, may operate a motor vehicle for a period of not more than ninety days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of such nonresident;

4. No person shall be required to obtain a driver's license under this Chapter for the purpose of operating or driving implements of husbandry temporarily drawn, propelled, or moved upon a highway.

Section 46-154. What persons shall not be licensed.

The State Highway Department shall not issue any motor vehicle driver's license hereunder:

1. To any person who is under sixteen years of age, except that the Department may issue a beginner's or instruction permit as hereinafter provided for to any person who is at least fourteen years of age; however, this shall not apply to any person under sixteen years of age holding a driver's license or beginner's permit on the effective date of this act;

2. To any person whose license has been suspended during such suspension, nor to any person whose license has been revoked, except as otherwise provided for in this Chapter;

3. To any person who is an habitual drunkard, or is an habitual user of narcotic drugs, or is an habitual user of any other drug to a degree which renders him incapable of safely driving a motor vehicle;

4. To any person who has previously been adjudged to be afflicted with or suffering from any mental disability or mental disease and who has not at the time of application been restored to competency by methods provided by law;

5. To any person who is required by this Chapter to take an examination, unless such person shall have successfully passed such examination; and to any person who is required under the laws of this State to deposit proof of financial responsibility and who has not deposited such proof;

6. To any other person who may not be issued a license as otherwise provided by the laws of this State.

Section 46-155. Beginner's and instruction permits and temporary licenses.

(a) Any person who is at least fourteen years of age may apply to the State Highway Department for a beginner's permit. The State Highway Department may, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant a beginner's permit which shall entitle the applicant having such permit in his immediate possession to drive a motor vehicle upon the public highways for a period of not more than six months. While so driving such permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience, or parent or guardian, and who is occupying a seat beside the driver, except in the event the permittee is operating a motorcycle; and also, except in the event such permittee is operating a farm truck or vehicle other than a passenger car, during daylight hours, while engaged in agricultural pursuits, and, also except from the hour of 6:00 a. m. o'clock until the hour of 6:00 p. m. o'clock. Any such beginner's permit may be renewed or a new permit issued for additional periods of six months, but the Department may refuse to renew or issue a new permit where the examining officer has reason to believe that the applicant therefor, if over sixteen years of age, has not made a bona fide effort to pass the required driver's road test, or does not appear to the examining officer to have the aptitude to pass such road test. No fee shall be charged for a beginner's permit.

(b) The State Highway Department upon receiving proper application may, in its discretion, issue to students regularly enrolled in standard high school driver education courses instruction permits effective for the duration of the course, even though the applicant has not reached the legal age to be eligible for a driver's license. Such instruction permit shall entitle the permittee when he has such permit in his immediate possession to operate a motor vehicle only on a designated highway or within a designated area, but only when an approved instructor for such course is occupying a seat beside the permittee. No fee shall be charged for instruction permits.

(c) The State Highway Department may, in its discretion, issue a temporary driver's permit to an applicant for a motor vehicle driver's license permitting him to operate a motor vehicle while the Department is completing its investigation and determination of all facts relative to such applicant's right to receive a driver's license. Such permit must be in his immediate possession while operating a motor vehicle, and it shall be invalid when the applicant's license has been issued or for good cause has been refused.

Section 46-156. Application for license or permit.

(a) Every application for a driver's license or permit shall be made upon the form furnished by the Highway Department. Every application shall be accompanied by the proper fee.

(b) Every application shall contain the full name, date of birth, sex, race and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has theretofore been licensed as an operator or chauffeur, and, if so, when and by what state or country and whether any such license has ever been suspended or revoked or whether an application has ever been refused and, if so, the date of and reason for such suspension, revocation, or refusal.

(c) Whenever application is received from a person previously licensed in another state, the Department shall request copy of the applicant's record from such other state. When received, the record shall become a part of the driver's record in this State with the same force and effect as though entered on the operator's record in this State in the original instance.

(d) Whenever the Highway Department receives request for a driver's record from another state, the record shall be forwarded without charge.

Section 46-157. Application of Minors.

(a) The application of any unemancipated minor for a beginner's permit, instruction permit, or driver's license shall be signed and verified before a person authorized to administer oaths by the father, mother, or guardian, and in the case of all other minors by some responsible adult who is willing to assume the obligation imposed under this act upon a person signing the application of a minor.

(b) Any negligence or willful misconduct of a minor when driving a motor vehicle upon a highway shall be imputed to the person who has signed the application of such minor for a beginner's permit, instruction permit, or driver's license, which person shall be jointly and severally liable with such minor for any damage caused by such negligence or willful misconduct except as otherwise provided for in this section.

(c) In the event such minor is protected by a policy of liability insurance in the form and in the amounts as required under the Safety Responsibility Laws of this State, then such parent or guardian or other responsible adult shall not be subject to the liability otherwise imposed under this section.

Section 46-158. Release from liability.

Any person who has signed the application of a minor for a permit or license may thereafter file with the Highway Department a verified written request that the permit or license of said minor so granted be cancelled. Thereupon the person who signed the application of such minor shall be relieved from the liability imposed under this act by reason of having signed such application on account of any subsequent negligence or willful misconduct of such minor in operating a motor vehicle, and the license or permit of such minor shall be cancelled by the Highway Department.

Section 46-159. Cancellation of license upon death of person signing minor's application.

The State Highway Department upon receipt of satisfactory evidence of the death of the person who signed the application of a minor for a license or permit shall cancel such license or permit and shall not issue a new license until such time as a new application, duly signed and verified, is made as required by this act.

Section 46-160. Examination of applicants.

The State Highway Department shall examine every applicant for a driver's license, except as otherwise provided in this section. Such

examination shall include a test of the applicant's eyesight, his ability to read and understand highway signs regulating, warning, and directing traffic, his knowledge of the traffic laws of this State, and shall include an actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle. The Highway Department may require such further physical and mental examination as it deems necessary to determine the applicant's fitness to operate a motor vehicle upon the highways, such further examination to be at the applicant's expense. The Department shall make provisions for giving an examination in the county where the applicant resides within not more than thirty days from the date the application is received.

Section 46-161. Licenses issued to drivers.

(a) The State Highway Department shall upon the payment of a fee of fifty cents issue to every applicant qualifying therefor a driver's license as applied for, which license shall bear thereon a distinguishing number assigned to the licensee, the full name, date of birth, residence address, and a brief description of the licensee, and either a facsimile of the signature of the licensee or a space upon which the licensee shall write his usual signature with pen and ink immediately upon receipt of the license. No license shall be valid until it has been so signed by the licensee.

(b) The State Highway Department shall, upon the payment of an additional fee of fifty cents, issue metal drivers' licenses to drivers whose drivers' licenses have not been previously suspended, revoked, or cancelled, such metal drivers' licenses to be issued only from the Columbia office of the State Highway Department. Metal drivers' licenses shall bear the facsimile signature of the licensee.

Section 46-162. License to be carried and exhibited on demand.

Every licensee shall have his license in his immediate possession at all times when operating a motor vehicle and shall display the same upon demand of any officer or agent of the Highway Department or any police officer of the State.

Section 46-163. Restricted licenses.

(a) The Department upon issuing a driver's license shall have authority, whenever good cause appears, to impose restrictions suitable to licensee's driving ability with respect to the type of or special mechanical control devices required on a motor vehicle which the licensee may operate or such other restrictions applicable to the li-

censee as the Department may determine to be appropriate to assure the safe operation of a motor vehicle by the licensee.

(b) The Highway Department may either issue a special restricted license or may set forth such restrictions on the usual license form.

(c) The Highway Department may upon receiving satisfactory evidence of any violation of the restrictions of such license suspend or revoke the same, but the licensee shall be entitled to a hearing as upon a suspension or revocation under this act.

(d) Any person who operates a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him shall be guilty of a misdemeanor and upon conviction punished by a fine of not more than one hundred dollars, or imprisonment for not more than thirty days.

Section 46-164. Duplicates.

In the event that a driver's license is lost or destroyed, the person to whom the same was issued may, upon payment of a fee of fifty cents, obtain a duplicate, or substitution thereof, upon furnishing proof satisfactory to the Highway Department that such license has been lost or destroyed.

Section 46-165. Expiration of license.

Every currently valid license issued prior to January 1, 1961, under the law of this State, shall expire on June 30, 1961; and every license issued on and after January 1, 1961 shall expire on June thirtieth of each subsequent fourth year after June 30, 1961. Every license shall be renewable on or before its expiration date upon application therefor and the payment of the required fee. For cause shown the Department may require the submission by the applicant of evidence satisfactory to the Department of the applicant's mental and physical fitness to drive and his knowledge of traffic laws and regulations. If such evidence is not satisfactory to the Department, the Department may require an examination of the applicant, as upon an original application. The Highway Department may commence issuing four year driver license renewals six months prior to expiration date of expiring licenses.

Section 46-166. Notice of change of address or name.

Whenever any person after applying for or receiving a driver's license shall move permanently from the address named in such application or in the license issued to him or when the name of a li-

censee is changed by marriage or otherwise such person shall within ten days thereafter notify the State Highway Department in writing of his old and new address or of such former and new name and of the number of any license then held by him.

Section 46-167. Records to be kept by the State Highway Department.

(a) The State Highway Department shall file every application for a license received by it and shall maintain suitable indexes containing, in alphabetical order :

1. All applications denied and on each thereof note of the reasons for such denial ;

2. All applications granted ; and

3. The name of every licensee whose license has been cancelled, suspended or revoked by the Department and after each such name a note of the reasons for such action.

(b) The State Highway Department shall also file all accident reports and abstracts of court records of conviction received by it under the laws of this State, and in connection therewith, maintain convenient records or make suitable notations in order that an individual record of each license showing the convictions of such licensee and the traffic accidents in which he has been involved shall be readily ascertainable and available for the consideration of the Highway Department upon application for renewal of license and at other suitable times.

Section 46-168. Authority of State Highway Department to cancel license.

(a) The State Highway Department is hereby authorized to cancel any driver's license upon determination that the licensee was not entitled to the issuance thereof or that said licensee failed to give the required or correct information in his application or committed any fraud in making such application, and for such other causes as may be authorized by law.

(b) Upon such cancellation, the licensee must surrender the license so cancelled by the Department.

Section 46-169. Suspending privileges of nonresidents and reporting convictions.

(a) The privilege of driving a motor vehicle on the highways of this State given to a nonresident hereunder shall be subject to suspension or revocation by the State Highway Department in like

manner and for like cause as a driver's license issued under the laws of this State may be suspended or revoked.

(b) The State Highway Department is further authorized, upon receiving a record of the conviction in this State of a nonresident driver of a motor vehicle of any offense under the motor vehicle laws of this State, to forward a certified copy of such record to the motor vehicle administrator in the state wherein the person so convicted is a resident.

Section 46-170. Suspending resident's license upon conviction in another state.

The State Highway Department may suspend or revoke the license of any resident of this State or the privilege of a nonresident to drive a motor vehicle in this State upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this State, would be grounds for the suspension or revocation of the South Carolina license.

Section 46-171. Courts to report certain convictions.

(a) Every court having jurisdiction over offenses committed under this act or other State laws or municipal ordinances regulating the operation of motor vehicles on highways shall forward to the Highway Department a record of the conviction of any person in said court for a violation of said laws other than regulations governing standing or parking where a matter of safety is not involved.

Section 46-172. Mandatory revocation and suspension of license by Highway Department.

(a) The State Highway Department shall forthwith revoke or suspend the license of any driver upon receiving a record of such driver's conviction of any offense for which revocation or suspension is now or hereafter may be required by law.

(b) The State Highway Department shall forthwith revoke the driver's license of any person upon receiving notice of the conviction of such person for:

1. Manslaughter resulting from the operation of a motor vehicle;
2. Any felony under the laws of this State in the commission of which a motor vehicle is used.

(c) The State Highway Department shall also revoke or suspend a driver's license for any other cause as may now or hereafter be required by other laws of this State.

Section 46-173. Authority of State Highway Department to suspend or revoke license.

(a) In addition to other authority of law, the State Highway Department is hereby authorized to suspend or revoke the license of a driver without preliminary hearing upon a showing by its records or other sufficient evidence that licensee:

1. Has been convicted of an offense for which mandatory revocation or suspension is required upon conviction;
2. Has been convicted of an offense in another state which if committed in this State would be grounds for suspension or revocation.

Section 46-174. Returning driver's license when suspended, revoked, or cancelled.

(a) In all cases of cancellation, suspension, or revocation of drivers' licenses, the Highway Department shall notify the licensee as hereinafter prescribed that his license has been cancelled, suspended, or revoked and such licensee shall within ten days after notice of cancellation, suspension, or revocation return his license to the Highway Department. Any person willfully failing to return his license as required by this section may, on conviction thereof, be fined one hundred dollars or imprisoned for thirty days.

(b) The licensee may, within ten days after notice of suspension, cancellation, or revocation, except in cases where the suspension, revocation, or cancellation is made mandatory upon the Highway Department, request in writing a review and, upon receipt of such request the Highway Department shall afford him a review, as early as practicable within twenty days after receipt of such request, in the county wherein the licensee resides unless the Department and the licensee agree that such review may be held in some other county. Such review may be held by a duly authorized agent of the Highway Department. Upon such review the Department shall either rescind its order of suspension, cancellation, or revocation, or, good cause appearing therefor, may continue, modify, or extend the suspension, revocation, or cancellation of such license.

Section 46-175. Highway Department may require re-examination.

(a) The State Highway Department, having good cause to believe that a person holding a South Carolina driver's license is incompetent or otherwise not qualified to be licensed because of a physical or mental disability may, upon written notice of at least ten days to the licensee, require him to submit to an examination. Upon the con-

clusion of such examination the Highway Department shall take action as may be appropriate and may suspend or revoke the license of such person or permit him to retain such license, or may issue a license subject to restrictions permitted under Section 46-163 of this act. The Highway Department may suspend or revoke the license of any person who shall refuse or neglect to submit to such an examination.

Section 46-176. Period of suspension or revocation.

(a) The State Highway Department shall not suspend a driver's license or privilege to drive a motor vehicle on the public highways for a period of more than one year, except as otherwise permitted or authorized by law.

(b) Any person whose license or privilege to drive a motor vehicle on the public highways has been revoked shall not be entitled to have such license or privilege renewed or restored unless the revocation was for a cause which has been removed, except that after the expiration of at least one year from the date on which the revoked license was surrendered to and received by the Highway Department, or as may otherwise be provided for by law, such person may make application for a new license as provided by law, but the Department shall not then issue a new license unless and until it is satisfied, after investigation of the character, habits, and driving ability of such person, that it will be safe to grant the privilege of driving a motor vehicle on the public highways.

Section 46-177. Surrender and return of license.

The State Highway Department upon suspending or revoking a license shall require that such license shall be surrendered to the Department, except that at the end of the period of suspension such license so surrendered shall be returned to the licensee, or in the discretion of the Department, a new license issued to him. A record of suspension shall be endorsed on the license returned to the licensee, or the new license issued to the licensee, showing grounds of such suspension. After five years from the date of conviction or suspension the driver may apply for a new identical license, and the Highway Department shall issue such identical license without any notation of suspension endorsed thereon; *provided*, however, that this provision shall not affect nor bar the reckoning of prior offenses for reckless driving and driving under the influence of intoxicating liquor or narcotic drugs, as provided in Article 5, Chapter 3, Title 46 of the 1952 Code.

Section 46-178. No operation under foreign license during suspension or revocation in this State.

Any resident or nonresident whose operator's or chauffeur's license or privilege to operate a motor vehicle in this State has been suspended or revoked as provided in this act or other laws of this State shall not operate a motor vehicle in this State under a license, permit, or registration certificate issued by any other state or otherwise during such suspension or after such revocation until a new license is obtained when and as permitted under this Chapter.

Section 46-179. Right to appeal to court.

Any person denied a license or whose license has been cancelled, suspended or revoked by the Department except where such cancellation or revocation is mandatory under the provisions of this act shall have the right to file a petition within thirty days thereafter for a hearing in the matter in a court of record in the county wherein such person shall reside and such court is hereby vested with jurisdiction and it shall be its duty to set the matter for hearing upon thirty days' written notice to the Chief Highway Commissioner, and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is entitled to a license or is subject to suspension, cancellation or revocation of license under the provisions of this Chapter. *Provided*, nevertheless, that for the purpose of this section only, the burden of proof in any such hearing shall be on the Department.

Section 46-180. Unlawful use of license.

It is a misdemeanor punishable by a fine of not more than one hundred dollars or imprisonment for not more than thirty days, for any person:

1. To display or cause to display or permit to be displayed or to have in his possession any cancelled, revoked, suspended, fictitious or fraudulently altered driver's license, operator's or chauffeur's license;
2. To lend his driver's license, operator's or chauffeur's license to any person or knowingly permit the use thereof by another;
3. To display or represent as one's own a driver's license, operator's, or chauffeur's license not issued to him;
4. To fail or refuse to surrender to the Highway Department upon its lawful demand any driver's license, operator's or chauffeur's license which has been suspended, cancelled, or revoked;

5. To use a false or fictitious name in any application for a driver's license or to knowingly make a false statement or to knowingly conceal a material fact or otherwise commit a fraud in any application;
6. To permit any unlawful use of a license issued to him; or
7. To do any act forbidden or fail to do any act required by this act.

Section 46-181. Driving without license.

Any person who drives a motor vehicle on any public highway of this State without a driver's license in violation of Section 46-152 of this act shall be guilty of a misdemeanor and upon conviction of first offense be fined not less than twenty-five dollars nor more than fifty dollars, or imprisoned for thirty days, and upon conviction of second or subsequent offense be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned for thirty days.

Section 46-182. Driving while license cancelled, suspended, or revoked.

(a) Any person who drives a motor vehicle on any public highway of this State at a time when his license to drive or privilege to do so is cancelled, suspended, or revoked, shall upon conviction be punished by a fine of one hundred dollars or imprisonment for thirty days for each violation.

(b) The Highway Department upon receiving record of the conviction of any person under this section upon a charge of driving a vehicle while the license of such person was suspended for a definite period of time shall extend the period of such suspension for an additional like period. If the suspension is not for a definite period of time, the suspension shall be for an additional three months. If the conviction was upon a charge of driving while a license was revoked, the Department shall not issue a new license for an additional period of one year from and after the date such person would otherwise have been entitled to apply for a new license.

(c) Any person not licensed hereunder or lawfully operating as a nonresident hereunder, convicted of a violation for which suspension or revocation of driver's license or privilege to operate is made mandatory, who shall thereafter operate a motor vehicle in this State before such time as he obtains a driver's license from the Department, or until the Department shall find that he is properly qualified to operate as a nonresident, shall be punished by a fine of one hundred dollars or imprisonment for thirty days; and the period of time during which the Department may not issue to him a driver's license or find

that he is properly qualified to operate as a nonresident shall be extended as provided in Section 46-182 (b) of this act. Such license shall not be issued nor shall such findings be made until the lapse of the period of time counting from the date of conviction during which such person's license would have been subject to suspension or revocation had he been properly licensed at the time of such offense.

Section 46-183. Permitting unauthorized minor to drive.

No person shall cause or knowingly permit his minor child or ward to drive a motor vehicle upon any highway when such minor child or ward is not authorized hereunder or in violation of any of the provisions of this act.

Section 46-184. Permitting unauthorized person to drive.

No person shall authorize or knowingly permit a motor vehicle owned by him or under his control to be driven upon any highway by any person who is not authorized to do so by this act or in violation of any of the provisions of this act.

Section 46-185. Fees credited to State Highway Fund.

All fees collected by the State Highway Department under the provisions of this act shall be credited to the State Highway Fund to be used for the administration of this act and for other purposes of the Highway Department.

Section 46-186. Form of notice.

Whenever notice is required hereunder, the same shall be given by the Highway Department by depositing the notice in the United States mail with postage prepaid addressed to such person at the address contained in the records of the Highway Department. The giving of notice by mail is complete upon the expiration of ten days after such deposit of such notice. A certificate by the Director of the Motor Vehicle Division that such notice has been sent as required herein shall be presumptive proof that the requirements as to notice of suspension have been met, regardless of the fact that the notice might not actually have been received by the addressee.

Section 46-187. Effect of Dissolution of Injunction.

If any court restrains or enjoins the Department from enforcing the suspension or revocation of any license, and the suspension or revocation is finally determined to have been properly put into effect by the Department, the time during which the revocation or suspension was made ineffective by the judicial order shall not be considered part of the time during which the suspension or revocation was in effect; it

being the purpose hereof to insure that the license shall be suspended or revoked for the full term of such suspension or revocation, if proper in the first place. Upon conviction of an offense making mandatory the suspension or revocation of the driver's license of the person so convicted, an appeal taken from such conviction shall act as a supersedeas so as to preclude for a period of sixty days from the date of conviction, any such suspension or revocation.

Section 46-188. General penalty.

It is a misdemeanor for any person to violate any of the provisions of this chapter unless such violation is by this chapter or other law of this State declared to be a felony. Every person convicted of a misdemeanor for a violation of any of the provisions of this chapter for which another penalty is not provided shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days.

Section 46-189. Rules and Regulations.

The State Highway Department may promulgate rules and regulations for administration and enforcement of this chapter and all such rules and regulations shall have the full force and effect of law.

Section 46-190. General Administration and Enforcement.

The State Highway Department shall administer and enforce the provisions of this chapter in general and law enforcement officers generally shall also enforce applicable provisions within their respective jurisdictions. Recorder and municipal courts are hereby vested with all jurisdiction necessary to hear, try and determine criminal cases involving violations of this chapter occurring within the corporate limits of such municipalities where the punishment does not exceed a fine of one hundred dollars or imprisonment for thirty days, the same as magistrates."

SECTION 2. Act cumulative.—This act shall not be held to repeal any other acts but shall be held to be cumulative thereto.

SECTION 3. Saving clause.—If any provisions of this act or the application thereof is held invalid, the remainder of the act and the application of such provisions shall not be affected thereby.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor or on July 1, 1959, whichever shall happen last.

Approved the 18th day of May, 1959.

(R446, H1473)

No. 256

An Act To Amend Section 9-304, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The State Development Board And The Terms Of Office Of Its Members, So As To Increase The Number Of Members To Fifteen And To Provide For The Organization Of Such Board; And To Amend Section 9-306, Code Of Laws Of South Carolina, 1952, Relating To The Organization And Conduct Of The Board, So As To Delete Therefrom The Provisions Relating To The Organization Of Such Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 9-304, 1952 Code, amended—**State Development Board—appointments—terms—rotation of appointments—officers—expiration of terms of presnt members—vacancies.**—Section 9-304, Code of Laws of South Carolina, 1952, as amended, is further amended to read as follows:

“Section 9-304. The Department of Development shall be governed by a board consisting of fifteen citizens of the State to be appointed by the Governor upon the advice and consent of the Senate. One member of the board shall be appointed from each of the fourteen judicial circuits of the State, and the other member shall be appointed from the State at large, and he shall be chairman of the board. The terms of the members shall be for a period of five years, except of those first appointed after the effective date of this act three shall serve for terms of one year, three shall serve for terms of two years, three shall serve for terms of three years, three shall serve for terms of four years and three shall serve for terms of five years. *Provided*, after the service of two terms a member shall not be eligible for reappointment. *Provided*, further, that the Governor in making subsequent appointments shall give due consideration to the rotation of appointees among the counties of each Judicial Circuit. Any officers deemed necessary by the board in addition to the chairman shall be selected by the board to serve for such terms as the board may designate. The terms of the present members of the board shall expire as of the effective date of this act, but they shall continue to serve until the appointment and qualification of the new members as herein provided. Any vacancies occurring during a term of office shall be filled in the same manner as the original appointment but shall be for the unexpired term.”

SECTION 2. Section 9-306, 1952 Code, amended—meetings of Board—records—director to act as secretary—director not to vote.—Section 9-306, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 9-306. All regular meetings of the board shall be public. The board shall adopt its own rules of procedure and keep adequate records of its proceedings. The director shall act as secretary of the board but shall have no vote.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R448, H1703)

No. 257

An Act To Amend Section 14-468, Code Of Laws Of South Carolina, 1952, Relating To The Borrowing Of Money By Spartanburg County, So As To Increase The Amount Of Money Such County May Borrow From Three Hundred Fifty Thousand Dollars To Eight Hundred Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 14-468, 1952 Code, amended—Spartanburg County may borrow money—pledge taxes—repayment—notes in excess of limitation null and void.—Section 14-468, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 14-468. In anticipation of the collection of any taxes provided in the annual county appropriation act, the governing body and the treasurer of Spartanburg County may borrow on the credit of the county sums not to exceed eight hundred thousand dollars in any one year and may pledge the taxes for such year as security for the repayment of the amount so borrowed. Taxes subsequently collected in any year in which indebtedness is incurred in accordance with the provisions of this section shall be first applied to the payment of such indebtedness. Any note or obligation given in any one year in an amount exceeding the total sum of eight hundred thousand

dollars herein authorized shall be null and void and shall not constitute an obligation of the county.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R449, H1712)

No. 258

An Act To Prohibit The Use Of Gill Nets In The Waters Of The Catawba River And The Lakes Formed By Such Waters In York County And To Provide A Penalty For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Gill nets prohibited in Catawba River or lakes in York County.—The use of gill nets in the waters of the Catawba River and the lakes formed by such waters in York County is prohibited.

SECTION 2. Penalties.—Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars nor more than one hundred dollars or imprisoned for not less than fifteen days nor more than thirty days.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R450, H1345)

No. 259

An Act To Amend Sections 28-751, 28-752, 28-753, 28-754, 28-755, 28-756, 28-757, 28-758, 28-759, 28-761, 28-770, 28-774, 28-775, 28-781, 28-791, 28-796, 28-811, 28-813, 28-814, 28-815, 28-818, 28-823,

28-826, 28-844, 28-845, 28-847, 28-861, 28-863, 28-865, 28-872, 28-873, 28-881, 28-882, 28-883, 28-884, 28-885, 28-886, 28-887, 28-888, 28-889, 28-890, 28-891, 28-901, 28-902, 28-903, 28-904, 28-905, 28-911, 28-913, 28-915, 28-921, 28-922, 28-923, 28-931, 28-932, 28-933, 28-934, 28-935, 28-936, 28-937, 28-939, 28-944, 28-948, 28-950, 28-951, 28-952, 28-960, And 28-961, Code Of Laws Of South Carolina, 1952; To Amend Act No. 138 Of The Acts of 1953, Act No. 293 Of The Acts Of 1953, Act No. 814 Of The Acts Of 1956, Act No. 822 Of The Acts Of 1956, Act No. 274 Of The Acts Of 1957, Act No. 232 Of The Acts Of 1957, Act No. 322 Of The Acts Of 1957, Act No. 384 Of The Acts Of 1957, Act No. 403 Of The Acts Of 1957, Act No. 945 Of The Acts Of 1958, Act No. 1 Of The Acts Of 1959; To Designate Certain Added Code Sections, Relating To Coastal Fisheries Laws, So As To Further Regulate The Coastal Fisheries Laws; And To Repeal Sections 28-772, 28-776, 28-784, 28-797, 28-798, 28-824, 28-825, 28-871, 28-874, 28-875, 28-892, 28-893, 28-912, 28-914, 28-938, 28-940, 28-941, 28-942, 28-943, 28-945, 28-947, 28-949, 28-953, 28-954, 28-955, 28-956, 28-957, 28-958 And 28-959, Code Of Laws Of South Carolina, 1952, Relating To Coastal Fisheries Laws.

Be it enacted by the General Assembly of the State of South Carolina :

ARTICLE I

General Provisions

SECTION 1. Section 28-751, 1952 Code, amended — Title of Chapter.—Section 28-751, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 28-751. This chapter shall be known and referred to as the ‘Coastal Fisheries Laws.’”

SECTION 2. Section 28-752, 1952 Code, amended—definitions.—Section 28-752, Code of Laws of South Carolina, 1952, is amended to read as follows :

“Section 28-752. Whenever used in this chapter :

(1) ‘Fish’ includes fin fish, shellfish, crustacean, turtles, and terrapin ;

(2) ‘Shellfish’ includes oysters, clams, mussels and scallops and all immobile fish having shells ;

(3) ‘Crustacean’ includes crabs, shrimp, crayfish, stone crabs and any other mobile fish having a shell ;

(4) 'Bottoms' includes all of the tide lands of the State covered by water when at the stage of ordinary high tide, and extending to one foot below ordinary low watermark;

(5) 'Fishing' and 'fisheries' includes all operations involved in taking or catching fish and in preparing them or transporting them to market."

SECTION 3. Section 28-753, 1952 Code, amended—Chapter not to apply to fresh water fish or fishing—exceptions.—Section 28-753, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-753. The provisions of this chapter shall not apply to fish or fishing in the fresh waters of this State, except as provided in Article 9 of this chapter."

SECTION 4. Section 28-754, 1952 Code, amended — certain waters to remain as a common for people subject to this act—fresh water excepted.—Section 28-754, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-754. The waters and bottoms of the bays, rivers, creeks and marshes within the State or within three miles of any point along low watermark on the coast thereof, not heretofore conveyed by grant from the General Assembly or lawful compact with the State, shall continue and remain as a common for the people of the State for the taking of fish, subject to the provisions of this chapter and any future act that may be passed, except that this section is not intended to regulate fish or fishing in the fresh waters of this State."

SECTION 5. Section 28-755, 1952 Code, amended—limitation on size of fish which may be bought, sold, or offered for sale—bait excepted.—Section 28-755, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-755. It shall be unlawful for any person to buy, sell, offer for sale, except as bait, any fish of less size than the lengths hereinafter specified to wit:

Mackerel	12 inches
Hickory Shad	12 inches
Speckled Trout	11 inches
Blue Fish	10 inches
Sheepshead	6 inches
Red Drum	12 inches

Black Bass or Pompey Drum	9 inches
Flounders	9 inches
Mullet	6 inches
Croakers	6 inches
Pompano	8 inches
Spots	6 inches

Measurements shall be from the tip of the nose to the tip of the tail."

SECTION 6. Section 28-756, 1952 Code, amended—edible fish to be used only for food and bait—penalties.—Section 28-756, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-756. It shall be unlawful to use any edible fish for any purpose other than for food and or bait and any person knowingly using such fish for fertilizer or knowingly selling such fish for any other purpose than food or bait shall be guilty of a misdemeanor and upon conviction shall be punished as hereinafter provided."

SECTION 7. Section 28-757, 1952 Code, amended—Wildlife Resources Commission may require permits—special permits for scientists and students.—Section 28-757, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-757. The South Carolina Wildlife Resources Commission may by its rules and regulations prescribe and require permits of all persons actually engaged in the taking of fish in the waters of this State. The Division of Commercial Fisheries may issue special permits without charge to recognized scientists and students actually engaged in the study of the inhabitants of the coastal waters of this State."

SECTION 8. Section 28-758, 1952 Code, amended—signs purporting to be signs of leased planting ground or restricted areas, without authority prohibited—penalties.—Section 28-758, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-758. It shall be unlawful for any person without authority from the South Carolina Wildlife Resources Commission first had and obtained as provided by this chapter, to set up, erect, or use any sign purporting to be the sign of leased planting ground or of restricted area as required of lessees of bottoms or of the Commission and any person so offending shall be guilty of a misdemeanor, and upon conviction shall be punished as hereinafter provided."

SECTION 9. Section 28-759, 1952 Code, amended—unlawful to remove or injure appliances or to injure boats of Wildlife Re-

sources Commission—penalties.—Section 28-759, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-759. Any person removing, injuring, defacing or in any way disturbing the signs, buoys or other appliances used by the South Carolina Wildlife Resources Commission in marking restricted areas or bottoms or used by lessees of bottoms in marking the leased areas or who shall injure or destroy any boat or property of any kind used by the Commission or any employee thereof shall be guilty of a misdemeanor and shall, upon conviction, be punished as hereinafter provided.”

SECTION 10. Section 28-761, 1952 Code, amended—penalties.—Section 28-761, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-761. Any person violating any of the provisions of this article shall, upon conviction, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months.”

ARTICLE 2

Shellfish Generally

SECTION 1. Section 28-770, 1952 Code, amended—unlawful to gather shellfish on lands of another without authority—penalties.—Section 28-770, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-770. It shall be unlawful for any person to enter upon any lands owned or leased by another without the permission of the owner or the lessee for the purpose of gathering clams, oysters or other shellfish. Any person entering upon the lands of another or owned by the State without permission from the owner or lessee of such lands for the purpose of gathering clams, oysters or other shellfish shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more

than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

SECTION 2. Section 28-774, 1952 Code, amended—certificate required of handlers of shellfish evidencing freedom from typhoid bacilli—penalties.—Section 28-774, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-774. No person shall be employed to handle shellfish until he has produced a certificate issued by the State Board of Health to the effect that he is free of typhoid bacilli. This certificate must be renewed each year. The penalty for hiring a worker without such a certificate shall upon conviction be cancellation of license and not less than a five hundred dollar fine."

SECTION 3. Section 28-775, 1952 Code, amended—use of scoops, scrapes and dredges to take shellfish prohibited in shallow water—penalties.—Section 28-775, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-775. It shall be unlawful to use scoops, scrapes or dredges to take shellfish in waters less than twelve feet deep at low tide. Each person violating this provision shall upon conviction be punished as provided in Section 28-770."

ARTICLE 3

Provisions Relating to Both Oysters and Clams

SECTION 1. Section 28-781, 1952 Code, amended—closed seasons for taking of clams and oysters—may be extended—not to affect permits for replanting oysters—presumptions—penalties.—Section 28-781, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-781. It shall be unlawful for any person to remove oysters from the beds between May first and September fifteenth or clams between June first and September first. The South Carolina Wildlife Resources Commission may either open the season fifteen days earlier or extend the season fifteen days later, or both, in any

year when the Commission deems it to be to the best interests of the State. Nothing in this section shall prevent the removal of oysters for the purpose of replanting under permits granted by the Division of Commercial Fisheries. Possession of oysters or clams during the closed season shall be prima facie evidence of violation of the provisions of this section, and any person violating the provisions of this section, shall upon conviction be punished as provided in Section 28-770."

ARTICLE 4

Provisions Relating To Oysters Only

SECTION 1. Section 28-791, 1952 Code, amended—oyster beds designated—Wildlife Resources Commission may lease.—Section 28-791, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-791. For the purpose of this chapter all of the bottoms within the jurisdiction of this State contained between high watermark and one foot below ordinary low watermark shall be deemed and considered as oyster beds and the South Carolina Wildlife Resources Commission may lease all or part thereof as it may determine and no grant, lease or conveyance hereafter made, except it be a special grant by the General Assembly, shall be effective to convey any private ownership or control of any fishing or fisheries therein."

SECTION 2. Section 28-794.2, 1952 Code, added—open areas for taking of oysters authorized in counties—areas to be marked—legislative delegation to approve—penalties.—The Code of Laws of South Carolina, 1952, is amended to read as follows and to be designated Section 28-794.2:

"Section 28-794.2. The Division of Commercial Fisheries shall maintain and keep open areas not to exceed fifty acres in any one county where bona fide residents of this State may gather, for personal use, not more than two bushels of oysters in any one day for not more than two days in one week. The open areas shall be located preferably at or near public landings. The Division shall clearly mark and identify the open areas so that the public may readily recognize them as such. The Commission shall be responsible for the maintenance of such signs.

Provided, that areas designated shall be done upon the approval of a majority of the county legislative delegation, including the Senator. Any person violating the provisions of this section, upon conviction, shall be punished as provided in Section 28-770."

SECTION 3. Section 1 of Act 945, 1958, amended—designated Section 28-794.3, head of household may gather certain amounts of oysters at certain times—exceptions.—Section 1 of Act No. 945 of the Acts of 1958 is amended to read as follows and to be designated Section 28-794.3:

“Section 28-794.3. The head of any household may, in person or by servant or employee, gather for private use not more than two bushels of oysters in any one day, for not more than two days in any week, from any bottoms owned by the State except those adjacent to resort areas. A servant or employee as used in this section is restricted to the harvest of not more than two bushels in any one day. This provision shall not be applicable to areas of the Cherry Grove Beach Development Company and the East Cherry Grove Realty Company in Horry County, as defined in Act No. 615 of the Acts of 1933 and Act No. 476 of the Acts of 1953.”

SECTION 4. Section 12 of Act 814 of 1956, amended—designated Section 28-795.1—conditions under which seed oysters may be cultivated for market—penalties.—Section 12 of Act No. 814 of the Acts of 1956 is amended to read as follows and to be designated Section 28-795.1:

“Section 28-795.1. Seed oysters may be cultivated for market under the following conditions:

(1) Division of Commercial Fisheries shall require any person cultivating seed oysters for market to procure a license at an annual cost of five dollars.

(2) No seed oysters cultivated for market shall be produced or cultivated on unpolluted lands now leased for the cultivation of marketable oysters.

(3) Seed oysters shipped must not exceed one and one-half inches in length from hinge to bill and all seed oysters for shipment must be gathered and shipped under the supervision of the Division.

(4) Seed oysters need not be placed in containers as required for shell stock oysters under the provisions of Section 28-783.1 but the volume of seed oysters shall be measured by the South Carolina bushel or its equivalent of eleven and one-half South Carolina bushels to each cubic yard.

(5) No shell planted under the provisions of Section 28-845 shall be used for the cultivation of seed oysters as defined under item (3) hereof.

(6) Each person shipping seed oysters from the State shall pay a tax on same at the rate of two cents per bushel on the gross shipment, which tax shall be payable at the source of shipment.

Any person violating any of the provisions of this section shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

SECTION 5. Section 28-796, 1952 Code, amended—standard measures for selling and marketing oysters and fixing amount of taxes or licenses.—Section 28-796, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-796. The following standard measures are hereby established for use in this State in selling and marketing oysters and fixing the amount of taxes or licenses to be paid thereon:

(1) The bushel measure for oysters shall be cylindrical with a perforated bottom, the diameter of the cylinder to be eighteen inches and the length from bottom to top sixteen inches;

(2) The half-bushel measure for oysters in the shell shall be cylindrical with a diameter of thirteen and three-quarter inches and a depth of ten inches and a perforated bottom; and

(3) The peck measure for oysters in the shell shall be cylindrical with a diameter of ten and one-half inches and a depth of eight inches."

ARTICLE 5

Leases of Shellfish Bottoms

SECTION 1. Section 28-811, 1952 Code, amended—leasing of bottoms for oyster culture for commercial purposes—leasing for other than commercial purposes—renewal of leases.—Section 28-811, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-811. The South Carolina Wildlife Resources Commission, Division of Commercial Fisheries, may lease to any person

portions of the bottoms owned or controlled by the State, for the purpose of oyster culture for commercial purposes, not exceeding an aggregate of one thousand acres to any person for a term not to exceed five years. The words 'commercial purposes' shall mean any person licensed to do business in this State and who makes his livelihood or a substantial portion of his livelihood from the commercial fisheries industries. To all other persons, who lease lands for any other purpose other than for commercial use, the Commission may lease as many as four acres but no more. Any such lease shall be renewed at the option of the lessee for an additional term of five years at the yearly rental provided in Section 28-817.1."

SECTION 2. Section 28-812.1, 1952 Code, amended—leasing of bottoms by owners of abutting highlands.—The Code of Laws of South Carolina, 1952, is amended by adding Section 28-812.1, to read as follows:

"Section 28-812.1. Any person owning highlands abutting upon tide-waters shall have preference in leasing two acres of bottoms adjacent to such highlands for the planting and propagation of oysters within the limits prescribed hereby, if he makes application therefor prior to the grant of a lease to other persons, but not otherwise."

SECTION 3. Section 28-813, 1952 Code, amended—application for lease—deposit—inspection of area to be leased—survey.—Section 28-813, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-813. Any person desiring to lease any bottoms, as provided in Sections 28-811 and 28-812.1, shall apply to the Division of Commercial Fisheries upon such forms as may be prescribed by the Commission depositing with the Commission the sum of ten dollars as a guarantee of good faith. Such forms shall include the location and boundaries of the area desired to be leased. If the area is subject to lease, the Division shall appoint some competent person who, with a representative of the applicant, shall inspect the area to determine the acreage capable of producing oysters. If such persons are unable to agree upon the acreage, the Division shall appoint a third person to examine the area with the other persons and the decision of a majority of the three shall be binding on the applicant and the Commission as to the area capable of producing oysters. The applicant then shall have the area surveyed and a plat thereof made showing the acreage capable of producing oysters and

filed in triplicate with the Division. The rental shall be based upon such area.”

SECTION 4. Section 28-814, 1952 Code, amended—notice of application for lease.—Section 28-814, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-814. Upon the filing with it of the application approved by the Director of the Division of Commercial Fisheries and the plat of the territory so approved, the Commission shall cause to be published in a newspaper in which legal advertisements by the sheriff are published in the county wherein the territory applied for is located, a notice to all persons of the application for such bottoms for planting and propagation of oysters, giving the name of the applicant, a sufficient description of the bottoms applied for to enable them to be located and the day on which the Commission will pass upon objections to the granting of such lease. Such advertisement shall be published once a week for three weeks immediately preceding such date.”

SECTION 5. Section 28-815, 1952 Code, amended—objections to leasing—hearing—preference to lessor of preceding term—appeals.—Section 28-815, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-815. Should any person appear in person or by attorney or by filing objections in writing on or before such date and object to the leasing of the whole or any portion of the bottoms applied for upon any lawful or sufficient ground, then the South Carolina Wildlife Resources Commission may proceed to a hearing thereof as in a case at law under the regular rules of evidence. Should an application be made by a person who was the holder of the lease on such bottoms for the term immediately preceding the term for which application is made, preference shall be given to that applicant. The decision of the commission shall be subject to appeal as from a magistrate’s court.”

SECTION 6. Section 11 of Act 814 of 1956, amended—designated Section 28-817.1 payment for lease.—Section 11 of Act No. 814 of the Acts of 1956 is amended to read as follows and to be designated Section 28-817.1:

“Section 28-817.1. Each lessee shall pay for a lease under Sections 28-811 or 28-812.1 one dollar and fifty cents per acre per year.”

SECTION 7. Section 28-818, 1952 Code, amended—annual rent payments—bills for rent—final notice of rent due.—Section 28-818, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-818. The annual rental for oyster leases shall be prorated from the first of the month following the execution of such lease to January first next. Thereafter, all annual rents shall be payable yearly in advance. On January first the Director of the Division of Commercial Fisheries shall render a bill to the lessee showing the amount owed. If the rent is not paid by February first, the Division will send a final notice advising the lessee that if the lessee fails to pay the rental before March first, the Commission will declare the lease forfeited for noncompliance.”

SECTION 8. Section 28-819.1, 1952 Code, added—recording of oyster leases—recording of cancellation of leases.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-819.1 and to read as follows:

“Section 28-819.1. All oyster leases, upon execution, to be effective, shall within thirty days be recorded in the office of the clerk of court or register of mesne conveyance of the county where any such leased bottoms are located. Likewise, when any lease has expired or been cancelled, it shall be cancelled of record in the office where the same has been recorded.”

SECTION 9. Section 28-823, 1952 Code, amended, lessees of bottoms may gather seed oysters from public beds—notice.—Section 28-823, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-823. Lessees of bottoms are permitted to gather seed oysters for replanting on their own leased lands from the public beds of the State which may be designated from time to time by the Director of the Division of Commercial Fisheries for the purpose, provided the lessee advise the Director of Commercial Fisheries ten days before moving such seed.”

SECTION 10. Section 28-826, 1952 Code, amended—transfers of leases to be approved by wildlife Resources Commission.—Section 28-826, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-826. No leases shall be transferred without the approval of the South Carolina Wildlife Resources Commission endorsed

thereon to be effective or to act as a release of the original lessee from the terms of the lease.”

SECTION 11. Section 28-826.1, 1952 Code, added—revocation of lease for failure to cultivate.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-826.1 and to read as follows:

“Section 28-826.1. Three years after the date of the lease, if the lessee has not effectively cultivated the area and oysters are not being marketed from leased area, the Commission may, after a full hearing with ample notice given, revoke the lease.”

ARTICLE 6

Canning and Shucking Plants

SECTION 1. Section 28-844, 1952 Code, amended—raw oysters previously shucked to be recorded by buyer—to be purchased only from approved persons and premises.—Section 28-844, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-844. All persons engaged in shucking raw oysters for market who shall purchase oysters previously shucked shall show such purchases separately on their records and on their monthly reports. No person engaged in shucking raw oysters for market shall be permitted to purchase shucked raw oysters from other than persons regularly engaged to shuck them on premises and in sheds provided for that purpose and approved by the Commission.”

SECTION 2. Section 28-845, 1952 Code, amended—lessees, canners and raw shuck houses to plant shell or seed oysters—dates of planting—supervision—exceptions—definition of oyster bushel.—Section 28-845, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-845. Each lessee shall plant one hundred bushels of shell or seed oysters for every acre under lease, and, in addition, each cannery or raw shuck house shall plant thirty-three and one-third per cent of shell acquired by the cannery or raw shuck house during the preceding season.

All shell shall be planted between May first and August fifteenth, except that raw shuck houses may replant green shell from current operations if such shell is replanted within three days after gathering.

All shell planting may be under supervision of the Division of Commercial Fisheries which may require five per cent of the total quota of shells of the canneries and raw shuck houses to be planted on State oyster bottoms not under lease but within a twenty-mile radius of the cannery or raw shuck house.

Each lease or portion of a lease from which oysters are harvested must be replanted during the following planting season.

Leases or portions of leases may be set aside for purposes of growth, cultivation and propagation for a period of two years without replanting but nothing herein shall be construed to diminish the quantity of shell or seed to be planted each year.

For the purpose of shell planting, a South Carolina oyster bushel shall be the same as defined in Section 28-796 and is four thousand seventy-one and one-half cubic inches. One cubic yard of shell for planting shall be considered as eleven and one-half South Carolina bushels."

SECTION 3. Section 28-847, 1952 Code, amended—records of licensed shellfish dealers—penalties.—Section 28-847, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-847. All persons licensed to buy, ship, shuck, or can shellfish shall keep such records as may be required by the Division of Commercial Fisheries. These records or reports shall be furnished to the Division at such times as it may prescribe. Any person failing to keep or submit the records as provided for in this section shall, upon conviction, be guilty of a misdemeanor and be subject to punishment as hereinafter provided.

Any persons violating any provision of this article shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

ARTICLE 7**Shrimp and Prawn**

SECTION 1. Section 28-861, 1952 Code, amended—open season for trawling for shrimp or prawn in certain defined area.—Section 28-861, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-861. It shall be lawful to trawl for shrimp or prawn seaward from the boundary hereinafter described from March fifteenth to December fifteenth, both inclusive: beginning at a point on the west bank of Wright River at its entrance to the sea extending eastward across the mouth of the river to the southernmost tip of Turtle Island; thence following the shore line of Turtle Island to a point on the northeasternmost tip of Turtle Island; thence turning and running true east in a line tangent to the southernmost tip of Bloody Point; thence turning and running northeasterly along Dausfuskie Island to a proposed marker (SC 1), latitude 32-07.1 N. and longitude 80-50.4 W.; thence seaward following shore line of Hilton Head Island to a piling to be set by the Wildlife Resources Department at the low watermark due East of old Fort Walker on Hilton Head Island, thence to flashing light designated on C. & G. S. chart 1240 as FL ev 4 sec ‘1’, thence to bell buoy No. 2, at the northern tip of Hilton Head Island; running easterly through bell buoy No. 2; thence continuing to red lighted gong buoy thence to black day marker No. A-19 at the mouth of Station Creek; thence seaward around Bay Point Island to the tip of the spur at Coles Care; then turning and running true east to a proposed marker (SC 3) at latitude 32-16.0 N. and longitude 80-35.9 W.; thence continuing true east to a proposed marker (SC 4) at latitude 32-16.0 N. and longitude 80-35.5 W. on the northern edge of the highland of Bull’s Point; thence turning seaward and following the shore line, but excluding all creeks, to a point at the northernmost point of Fripp Island at Fripp’s Inlet; thence turning and running true north to the shore line of Hunting Island; thence along the seaward edge of Hunting Island across the mouth of Johnson Creek to a point at the northernmost part upon the island; thence northwesterly to day marker A-11; thence to day marker A-9; thence to day marker A-7; thence to day marker A-5; thence to day marker A-4; thence to day marker A-2; thence to day marker A-1; thence to flashing range light on the Combahee bank; thence to a proposed marker (SC 5) on the west of Otter Island at latitude 32-29.1 N. and longitude 80-25.2 W.;

thence seaward along the shore line of Otter Island to a point at the mouth of Jefford and Fish Creek on the southern tip of Otter Island opposite Pine Island; thence turning and running in a southeasterly direction to the southernmost tip of Bay Point on Edisto Island; thence along the shore line of Edisto Island, excluding all creeks, to a point on the western bank of North Edisto River; thence due east across the North Edisto River to a point at the southwesternmost tip of Seabrook Island; thence seaward along the shore line of Seabrook and Kiawah Islands, excluding all inlets, to Sandy Point; thence northeasterly to buoy C-7; thence in a northerly direction to the southwesternmost tip of Folly Island; thence along Folly Island across Lighthouse Inlet along the seaward side of Morris Island to a point at Cummings Point where the jetty meets the beach; thence in a northeasterly direction across the Charleston Harbor to a point on Sullivans Island where the north jetty touches the island; thence along Sullivans Island, the Isle of Palms, Dewees Island, Capers Island, Bull Island (excluding all creeks) to a point at the northernmost tip of Bull Island; thence in a straight line northeasterly to the westernmost tip of Sandy Point; thence seaward along Raccoon Key to its easternmost tip; thence southeasterly to round the seaward side of Cape Romain and northward along the seaward shore of Cape Island to a point on the northernmost tip of said island; thence turning and running in a northwesterly direction to a point on the southeasternmost bank of Alligator Creek; thence turning and running in a northeasterly direction across Alligator Creek to a point on its northeastern bank; thence turning seaward and running along the shore line of Murphy Island to a point on the western bank of the Santee River across the mouth thereof to a point on the southwestern tip of Cedar Island; thence along Cedar Island across the mouth of the North Santee Bay to Santee Point; thence along the seaward shore of South Island to the northernmost point on the easternmost peninsula of the island; thence in a straight line to Nun Buoy 2 N.; thence turning and running in a northwesterly direction following the north jetty to the southernmost tip of North Island; thence northeasterly following the shore line to the North Carolina-South Carolina boundaries, excluding all inlets."

SECTION 2. Section 28-861.1, 1952 Code, added—open season for trawling for shrimp or prawn in certain defined areas.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-861.1 and to read as follows:

"Section 28-861.1. In addition to the area outlined in Section 28-861, from August fifteenth to December fifteenth, both inclusive, except in that area outlined in paragraph (1) of this section wherein the period shall be from September first to November first, inclusive, it shall be lawful to trawl for shrimp or prawn:

(1) In that area of Calibogue Sound beginning at a proposed marker (SC 1) at latitude 32-07.1 N. and longitude 80-50.4 W.; thence in a generally northerly direction to flashing buoy No. 32; thence continuing 199° true to a point at the mouth on the western bank of Bryan Creek (excluding Bryan's Creek); thence turning and running 90° true to flashing light No. 31; thence in a southwesterly direction along the shore line of Buck Island (excluding Broad Creek) to a proposed marker (SC 2) located at Braddock's Point, latitude 32-07.1 N. and longitude 80-449.6 W.

(2) In that area of Port Royal Sound beginning at flashing light No. 3; thence to day marker No. 5; thence continuing to flashing light No. 6; thence turning and running in a straight line in a northwesterly direction to a point on Colleton Neck to a proposed marker (SC 6) located at latitude 32-19.2 N. and longitude 80-47.1 W.; thence running in a northerly direction to the northwesternmost point of Daws Island excluding the creek separating Rose Island and Daws Island; thence continuing in a northerly direction up Broad River along the Eastern shore of Rose Island to Lemon Island Creek; thence southeasterly across Broad River to a point on a small island in the mouth of Ballast Creek located at latitude 32-19.5 N. and longitude 80-42.5 W.; thence southeasterly following the shore of Parris Island to the southern point of Parris Island; thence northerly up Beaufort River on the east side of Parris Island to a point due west of flashing Red Light No. 20, thence running south to buoy C-19; thence southerly through flashing light No. 17 on through flashing light No. 13, through Nun Buoy No. 12 on through day marker No. A-19.

(3) In that area of St. Helena Sound beginning at a point at the northernmost tip of Harbor Island; thence turning and running on the western shore of Harbor Island; thence to the Harbor Island bridge across the Harbor River to a point on St. Helena Island; thence running in a generally northwesterly and westerly direction along the edge of St. Helena Island (excluding Coffin and Village Creeks) to a point of proposed marker (SC 9) located at latitude 32-27.1 N. and longitude 80-31.5 W.; thence running due north to a proposed marker

(SC 10) on the south shore of Morgan Island at latitude 32-27.7 N. and longitude 80-31.5 W.; thence turning and running in a generally easterly and northwesterly direction along the seaward side of Morgan Island (excluding all creeks) to flashing marker No. 187; thence turning and running northeasterly to flashing buoy No. 186; thence due east to the marshes of Ashe Island; thence following the shore line of Ashe Island across the mouth of Rock Creek to proposed marker (SC 11) located on the end of Hutchinson Island at the mouth of Rock Creek at latitude 32-30.2 N. and longitude 80-25.9 W.; thence southeastward through proposed marker (SC 5) and continuing in the same direction to the westward edge of Otter Island.

(4) In all that area within Bull Bay lying seaward, commencing at the mouths of all creeks and rivers entering Bull Bay.

(5) In all that area of North Santee Bay lying seaward of a line through the creek separating Cain Island and Crow Island, and extending northeast to South Island to the mouth of Beach Creek.

(6) In that area in Winyah Bay lying seaward of a projected line running through red Nun Buoy No. 16 and green flashing buoy No. 15 and extending outwardly therefrom in a straight line to North Island and Cat Island."

SECTION 3. Section 1 of Act 403 of 1957, amended—designated as Section 28-861.2-1—unlawful to trawl for shrimp in certain defined areas.—Section 1 of Act No. 403 of the Acts of 1957, as amended, is amended to read as follows and to be designated Section 28-861.2-1:

"Section 28-861.2-1. It shall be unlawful to trawl for shrimp:

(1) Within one-half mile of any fishing pier extending into the ocean;

(2) Within one-half mile of the shore line of Horry County."

SECTION 4. Section 2 of Act 1 of 1959, amended—designated Section 28-861.2-2—provisions of Section 28-861.2-1 not to apply to Hilton Head Island.—Section 2 of Act No. 1 of the Acts of 1959 is amended to read as follows and to be designated Section 28-861.2-2:

"Section 28-861.2-2. The provisions of Section 28-861.2-1 shall not apply to Hilton Head Island in Beaufort County."

SECTION 5. Section 1 of Act 1 of 1959, amended—designated 82-261.2-3—closed season for trawling for shrimp near beaches on

Hunting and Hilton Head Islands—inhabited areas defined—charts of inhabited areas—penalties.—Section 1 of Act No. 1 of the Acts of 1959 is amended to read as follows and to be designated Section 28-861.2-3:

“Section 28-861.2-3. From May fifteenth through September fifteenth of any year it shall be unlawful to trawl for shrimp within one-quarter mile of the shores of the ocean beaches of Hunting Island in Beaufort County and within one-quarter mile of the shores of any inhabited area of the ocean beaches of Hilton Head Island. For the purposes of this section an ‘inhabited area’ is defined as any beach area within one-quarter mile of an inhabited or active commercial building along the beach front. The local inspector of the Division of Commercial Fisheries of the South Carolina Wildlife Resources Department shall prepare a chart showing the approximate location of such inhabited beach areas; and it shall be the responsibility of shrimp boat captains to ascertain such inhabited beach areas from the inspector. Anyone violating the provisions of this section shall upon conviction be subject to imprisonment of not exceeding thirty days or a fine of not exceeding one hundred dollars.”

SECTION 6. Section 3 of Act 1 of 1959, amended—designated Section 28-861.2-11—Sunday commercial trawling for shrimp unlawful in Beaufort County—penalties.—Section 3 of Act No. 1 of the Acts of 1959 is amended to read as follows and to be designated Section 28-861.2-11:

“Section 28-861.2-11. Commercial trawling for shrimp in Beaufort County on Sunday shall be unlawful. Anyone violating the provisions of this section shall upon conviction be subject to imprisonment of not exceeding thirty days or a fine of not exceeding one hundred dollars.”

SECTION 7. Subsection (d), Section 1 of Act 822 of 1956 amended—designated Section 28-861.3—certain open seasons for trawling for shrimp or prawn may be extended.—Subsection (d) of Section 1 of Act No. 822 of the Acts of 1956 is amended to read as follows and to be designated Section 28-861.3:

“Section 28-861.3. The Chairman of the Commission may shorten or extend the season by not more than thirty days in any area set forth in Section 28-861.1 thereof but before doing so the Bears Bluff Laboratories should be consulted and its recommendations should be followed by the Commission.”

SECTION 8. Section 28-862, 1952 Code, amended—unlawful to trawl for shrimp except in specified areas.—Section 28-862, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-862. It shall be unlawful to trawl for shrimp in any other waters of the State not specified or permitted under the provisions of Sections 28-861 and 28-861.1.”

SECTION 9. Subsection (c), Section 1 of Act 822 of 1956, amended, designated Section 28-862.1—lawful to use cast nets for shrimp or prawn.—Subsection (c) of Section 1 of Act No. 822 of the Acts of 1956 is amended to read as follows and to be designated Section 28-862.1:

“Section 28-862.1. It shall be lawful for any person to use cast nets to catch shrimp or prawn at any time in the waters of this State.”

SECTION 10. Section 28-863, 1952 Code, amended—references to hydrography and topography in describing certain areas.—Section 28-863, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-863. In describing the areas set forth in Sections 28-861 and 28-861.1, all references to hydrography and topography refer to charts Nos. 1237, 1238, 1239 and 1240 (as revised to 1952, 1955, 1952 and 1954 respectively) of the United States Coast and Geodetic Survey, and all references to Buoys and Day Markers are as are represented on such chart.”

SECTION 11. Section 28-863.1, 1952 Code, added—erection and maintenance of markers.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-863.1 and to read as follows:

“Section 28-863.1. All markers referred to in Sections 28-861 and 28-861.1 shall be erected and maintained by the Division of Commercial Fisheries. They shall (a) be of creosote piling not less than six inches in diameter, (b) extend at least four feet above the normal highwater mark and (c) be clearly identified as non-navigational.”

SECTION 12. Section 28-865, 1952 Code, amended—numbers for licensed shrimp and crab boats—display.—Section 28-865, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-865. Every boat licensed by the Commission to trawl for shrimp and/or crabs in this State, at the time of the issuance of such license shall be assigned by the Commission a number under which such boat shall be registered and operated. The number so assigned to any such boat shall be of distinctive numerals not less than two inches in width of letter and not less than eighteen inches in height, and shall be so displayed as to be clearly visible from either side of the vessel."

SECTION 13. Section 28-866, 1952 Code, added—penalties.—

The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-866 and to read as follows:

"Section 28-866. Any person violating any of the provisions of this article, Sections 28-861 through 28-865 (except 28-861.2-11), shall, upon conviction, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

ARTICLE 8

Crabs

SECTION 1. Section 28-872, 1952 Code, amended—unlawful to possess certain female crabs.—Section 28-872, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-872. It shall be unlawful for any person to catch, hold, have in his possession or offer for sale any female crab bearing eggs visible thereon or any female crab from which the egg pouch or bunion has been removed. Nothing in this section shall be construed to make it unlawful to catch such crabs unintentionally, provided they are forthwith, while still alive, returned to the water."

SECTION 2. Section 28-873, 1952 Code, amended—unlawful to possess certain species of crabs under certain size—exceptions.—Section 28-873, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-873. It shall be unlawful for any person to catch, destroy, confine, hold or have in his possession, whether for individual use or for market, any crab of the genus *Calinectes sapidus* (blue crab) or allied species of a smaller size than five inches measured from tip of point across the back of shell. But when a person purchases crabs away from his place of business he shall not be guilty of violating this section by transporting such crabs to his place of business nor until he shall have had a reasonable opportunity to examine such crabs. The provisions of this section shall not apply, except as to sale, to crabs in floats or breeder sanctuaries in the process of shedding into soft shell crabs and any person may catch and have in possession such crabs for the purpose of placing them in floats or breeder sanctuaries to shed into soft shell crabs.”

SECTION 3. Section 1 of Act 293 of 1953, amended—designated Section 28-876—open season for trawling for crabs in certain areas.—Section 1 of Act No. 293 of the Acts of 1953 is amended to read as follows and to be designated Section 28-876:

“Section 28-876. It shall be lawful to trawl for crabs within the three-mile limit and in sounds and bays during the months of December, January, February and March of each year.”

SECTION 4. Section 1 of Act 403 of 1957, amended—unlawful to trawl for crabs in certain defined areas.—Section 1 of Act No. 403 of the Acts of 1957 is amended to read as follows and to be designated Section 28-876.1:

“Section 28-876.1. It shall be unlawful to trawl for carbs:

- (1) Within one-half mile of any fishing pier extending into the ocean;
- (2) Within one-half mile of the shoreline of Horry County;
- (3) In Trenchard Inlet with a line of demarcation from Bull Point to Bay Point.”

SECTION 5. Section 2 of Act 1 of 1959, amended—designated Section 28-878.1-1—Hilton Head Island exempted from provisions of Section 28-876.1.—Section 2 of Act No. 1 of the Acts of 1959 is amended to read as follows and to be designated Section 28-876.1-1:

“Section 28-876.1-1. The provisions of Section 28-876.1 shall not apply to Hilton Head Island in Beaufort County.”

SECTION 6. Section 28-876.1-2, 1952 Code, added—closed season for trawling for crabs within certain areas near Hilton Head and Hunting Islands—Exceptions—penalties.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-876.1-2 and to read as follows:

“Section 28-876.1-2. From May fifteenth through September thirtieth of any year it shall be unlawful to trawl for crabs within one-quarter mile of the shores of the ocean beaches of Hilton Head Island and Hunting Island in Beaufort County except that portion of Hilton Head Island seaward from and opposite the land presently owned by the Hilton Head Agricultural Corporation. Anyone violating the provisions of this section shall upon conviction be subject to imprisonment of not exceeding thirty days or a fine of not exceeding one hundred dollars.”

SECTION 7. Section 3 of Act 322 of 1957 amended—designated Section 28-876.2—open season for trawling for crabs in certain described areas.—Section 3 of Act No. 322 of the Acts of 1957 is amended to read as follows and to be designated Section 28-876.2:

“Section 28-876.2. During the months of December, January and February, trawling for crabs shall be permitted in the area described in Section 28-992 and also in that area lying north and adjacent to the said area beginning at a point at the mouth on the western bank of Bryan Creek, excluding Bryan Creek; thence turning and running in a northeasterly direction to a point on the southwestmost point of Marsh Island; thence following the eastern shore line of Marsh Island to a point at the northeasternmost tip of Marsh Island; thence turning and running due east to a point on Bram Point; thence turning and running in a southwesterly direction along the western shore line of Bram Point to flashing light No. 31 and thence turning and running westerly across Calibogue Sound to the point of beginning.”

SECTION 8. Section 3 of Act 293 of 1953 amended—designated Section 28-878—prohibition against trawling for crabs with nets or certain bags—restrictions on use of chafing gear—penalties.—Section 3 of Act No. 293 of the Acts of 1953 is amended to read as follows and to be designated Section 28-878:

“Section 28-878. No trawling for crabs shall be done with a net or a bag with a mesh of less than four inches and chafing gear of any sort shall be confined to not more than one-half the circumference of the tail bag.

Any person violating the provisions of this article, Sections 28-872 through 28-878, shall, upon conviction, be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

SECTION 9. "Crab pots" prohibited in certain areas.—It shall be unlawful to set or use any trap or basket commonly termed a "crab pot" for the purpose of catching crab within the tributaries and between the headlands of all rivers and creeks including Chechessee River north of Daws Island on the west side of Broad River.

ARTICLE 9

Shad and Sturgeon

SECTION 1. Section 28-881, 1952 Code, amended—closed season for certain shad—exceptions.—Section 28-881, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-881. It shall be unlawful to catch, buy, sell, or ship white shad or hickory shad between the twenty-fifth day of March in each year and the first day of February in the following year, inclusive, except that:

(1) From a point forty miles from the mouth of any stream in which shad may run on to the waters of its source the closed season for shad shall be from the twentieth day of April in each year until the first day of February of the following year, but on the Edisto River the closed season for the taking of shad shall be from April twentieth in each year until February first of the following year from the mouth of Penny Creek to the headwaters of the Edisto River; and,

(2) On Black River the closed season for fishing for shad with skimbrow or pump nets for noncommercial purposes shall be from May first of each year until February first of the following year.

(3) From the first day of February to the first day of May in each year, it shall be lawful to use bow, skimbrow or pump nets to catch shad for noncommercial purposes, and for using such nets each

person shall procure a license from the South Carolina Wildlife Resources Commission, Division of Commercial Fisheries, at an annual cost of one dollar and fifty cents; and

(4) It shall be lawful to catch white or hickory shad for non-commercial purposes by the use of a hook and line including rod and reel between the first day of February and the first day of May, inclusive, of each year, provided the individual has first procured the regular State fishing license. Each person is limited to catch eight shad in any one day."

SECTION 2. Section 1 of Act 232 of 1957, amended—designated Section 28-881.1—open season for shad in Horry County.—Section 1 of Act No. 232 of the Acts of 1957 is amended to read as follows and to be designated Section 28-881.1:

"Section 28-881.1. In Horry County the open season for catching of shad shall be from the first day of February to the fourth day of May."

SECTION 3. Section 28-882, 1952 Code, amended—unlawful to catch, seine or net shad during certain times in open season.—Section 28-882, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-882. During the open season it shall be unlawful to catch shad or set any seine or net or any other device for the same from:

(1) Twelve o'clock noon on Saturday until twelve o'clock noon on the Tuesday following except with skimbow nets for noncommercial purposes on Black River or Great Pee Dee River; or

(2) Twelve o'clock noon on Saturday until twelve o'clock noon on the Wednesday following on the Edisto River except with skimbow nets for noncommercial purposes."

SECTION 4. Section 1 of Act 384 of 1957, amended—designated Section 28-882.1—lawful to set nets for shad during certain times in Game Zone 5.—Section 1 of Act No. 384 of the Acts of 1957 is amended to read as follows and to be designated Section 28-882.1:

"Section 28-882.1. It shall be lawful to set nets for the catching of shad in Game Zone No. 5 from Tuesday noon until Saturday noon during the open season."

SECTION 5. Section 28-883, 1952 Code, amended—open season for sturgeon and caviar—penalties.—Section 28-883, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-883. There shall be an open season for the catching and shipping of sturgeon and caviar from March first to October first, inclusive, in each year, and the balance of each year shall be a closed season for sturgeon. Any person having in his possession or catching any sturgeon during the closed season shall be punished as herein provided."

SECTION 6. Section 28-884, 1952 Code, amended—open season for short-nose sturgeon within certain areas.—Section 28-884, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-884. It shall be lawful for the citizens of this State to catch in the waters of this State and to buy, sell, or ship short-nose sturgeon (*Acipenser brevirostris*) between the first day of May and the first day of July in each year. But no such short-nose sturgeon shall be caught at a distance of more than fifteen miles from the mouth of any river emptying into any bay, gulf or ocean on the border of this State. Nothing in this section shall be held to authorize the catching, buying, selling or shipment of the common or caviar sturgeon, otherwise called *Acipenser sturio*."

SECTION 7. Section 28-885, 1952 Code, amended—unlawful to fish for shad and sturgeon in certain areas of Georgetown County.—Section 28-885, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-885. It shall be unlawful to fish at any time within the three-mile limit out to sea from the jetties of Winyah Bay with anchor nets, stake row nets and pound nets for shad and sturgeon."

SECTION 8. Section 28-886, 1952, Code, amended—restrictions on size of nets used to catch shad—unlawful to use any nets in certain areas—exceptions.—Section 28-886, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-886. No nets for catching shad shall be used with a mesh of less than six inches nor extending more than half way across any stream nor within two hundred yards of any net previously set. Nor shall it be lawful to set any nets for catching shad in lakes or coves tributary to any stream, whether navigable or not, except that a net with a mesh of less than six inches but not less than four inches may be used in the Savannah River. No net or seine shall be used in the muddy waters of any river within twenty-five yards of the mouth of any clear water stream emptying into such river."

SECTION 9. Section 1 of Act 138 of 1953, amended—designated Section 28-886.1—size of net which may be used to catch shad in Game Zone No. 7—time during which nets may be used.—Section 1 of Act No. 138 of the Acts of 1953, as amended, is amended to read as follows and to be designated Section 28-886.1:

“Section 28-886.1. Notwithstanding the provisions of Section 28-886, in Game Zone No. 7 a five and one-half inch mesh net may be used and it shall be lawful to set nets from Tuesday noon until Saturday noon during the open season.”

SECTION 10. Section 28-887, 1952 Code amended—time when bow nets or revolving dip traps may be used in certain portions of Black and Great Pee Dee Rivers and tributaries.—Section 28-887, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-887. The provisions of Sections 28-881 and 28-886 shall not apply to the use between February first and April twentieth of each year of bow nets or revolving dip traps operated on Great Pee Dee River between Cheraw and the North Carolina line and between Cheraw and Yahannah bridge over Great Pee Dee River and on the tributaries of said river where such tributaries enter said river between Cheraw and said bridge and on Black River and its tributaries between Skinners Ferry Bridge on Black River up said River and tributaries to their source.”

SECTION 11. Section 1 of Act 274 of 1957, amended—designated Section 28-887.1—use of set nets for shad in Santee River.—Section 1 of Act No. 274 of the Acts of 1957 is amended to read as follows and shall be designated as Section 28-887.1:

“Section 28-887.1. It shall be lawful to use set nets for catching shad in the Santee River from Tuesday noon until Saturday noon during the open season.”

SECTION 12. Section 28-888, 1952 Code, amended—restrictions on nets used to catch sturgeon.—Section 28-888, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-888. No net with mesh less than ten inches shall be used for catching sturgeon.”

SECTION 13. Section 28-889, 1952 Code amended—unlawful to leave shad or sturgeon nets on stream banks more than three days

after closed season.—Section 28-889, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-889. It shall be unlawful for any person to leave his shad or sturgeon net on the banks of streams of this State more than three days after the closed season for the catching of shad or sturgeon.”

SECTION 14. Section 28-890, 1952 Code, amended—finding of decomposed shad or sturgeon in nets grounds for forfeiture of net and license.—Section 28-890, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-890. The finding of any net or seine with decomposed shad or sturgeon therein will constitute a sufficient ground for forfeiture of the net or seine and of the license of the owner thereof.”

SECTION 15. Section 28-891, 1952 Code, amended—records of shad or sturgeon dealers.—Section 28-891, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-891. All persons engaged in buying, shipping, and selling shad or sturgeon shall keep records as may be prescribed by the Division of Commercial Fisheries and shall make monthly reports as may be prescribed by that Division.”

SECTION 16. Section 28-893.1, 1952 Code, added—penalties.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-893.1, to read as follows: “Section 28-893.1. All persons, upon conviction of violation of the provisions of this article, Sections 28-881 through 28-891, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months.”

ARTICLE 10

Terrapin and Sea Turtles

SECTION 1. Section 28-901, 1952 Code, amended—closed season on terrapin—possession of terrapins left over from open season—report of such possession.—Section 28-901, Code of Laws of

South Carolina, 1952, is amended to read as follows:

"Section 28-901. It shall be unlawful for any person to take, purchase or possess terrapin between the first day of April and the fifteenth day of July, inclusive, in each year, except such as are left over from the open season of which report must be rendered on oath on or before the tenth day of April showing the number and kind of terrapin so left over. Failure to render such a report shall be deemed conclusive that none were left over and any found in such person's possession in excess of the ones reported will be conclusively deemed to have been received in violation of this section. Such reports of left-over terrapin must show the location of such terrapin."

SECTION 2. Section 28-902, 1952 Code, amended—unlawful to take terrapins under certain size.—Section 28-902, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-902. The taking, detention, possession, purchase or sale of terrapin less than five inches in length measured on the medial line of the bottom of the shell, shall be unlawful."

SECTION 3. Section 28-903, 1952 Code, amended—effect of possession of undersized terrapins—effect of possession of terrapins by unlicensed persons.—Section 28-903, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-903. The possession of terrapin of less than lawful size or during the closed season or the possession of a terrapin without having taken out a dealer's license shall be deemed prima facie evidence of guilt within the county where found in such possession and shall cast the onus of explaining such possession upon the possessor. But this section shall not apply to terrapin in possession of regular licensed terrapin farms."

SECTION 4. Section 28-904, 1952 Code, amended—contraband terrapins—return to public waters.—Section 28-904, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-904. All terrapin taken in this State in violation of any of the provisions of the Coastal Fisheries Law shall be contraband and in addition to such penalty as provided herein for the person violating such provision the terrapin shall be returned to the public waters."

SECTION 5. Section 28-905, 1952 Code, amended—unlawful to kill or sell sea turtles or sell or destroy sea turtle eggs.—Section

28-905, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-905. It shall be unlawful for any person to kill or offer for sale any sea turtle. It shall be unlawful for any person to offer for sale, sell or destroy any sea turtle eggs."

SECTION 6. Section 28-905.1, 1952 Code, added—penalties.—

The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-905.1 to read as follows:

"Section 28-905.1. Any person convicted of violation of the provisions of this article, Sections 28-901 through 28-905.1, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

ARTICLE 11

Nonfood Fish

SECTION 1. Section 28-911, 1952 Code, amended—licensed persons may catch menhaden fish within certain areas—restrictions on size of nets or seines.—Section 28-911, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-911. It shall be lawful for any person, who shall have obtained a license as herein provided, to fish for and catch with purse nets and seines menhaden and other nonfood fish known as menhaden fish within the waters of this State, which shall include the Atlantic Ocean lying within the distance of three miles from the shores of this State, provided that no purse net or seine with bars of less than three-fourths inch or a mesh of less than one and one-half inches shall be used for the purpose of catching nonfood fish as herein provided."

SECTION 2. Section 28-913, 1952 Code, amended—nonfood fish may be made into fertilizer.—Section 28-913, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-913. It shall be lawful for any person to cook or manufacture into fertilizers or fertilizer materials or other commercial products nonfood fish caught under the provisions of this article."

SECTION 3. Section 28-915, 1952 Code, amended—penalties.—Section 28-915, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-915. Any person violating the provisions of this article, Sections 28-911 through 28-915, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment for not less than sixty days nor more than six months.”

ARTICLE 12

Seines and Nets Generally

SECTION 1. Section 28-921, 1952 Code amended—unlawful to catch food fish in purse seines—exceptions.—Section 28-921, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-921. It shall be unlawful for any person to catch any food fish in any purse seine in any of the waters of the State, except in the ocean three hundred yards or more beyond the beach.”

SECTION 2. Section 28-922, 1952 Code, amended—unlawful to catch fish for market with a seine having certain size mesh.—Section 28-922, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-922. It shall be unlawful for any person to catch fish, except shrimp and prawn, for market with a seine having a mesh of less than two and one-half inches.”

SECTION 3. Regulation of pound or gill nets stands—penalties.—Section 28-923, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 28-923. Every stand of pound or gill net unattended shall have a stake at each end of the stand with a board painted white and eighteen inches long by eight inches wide fastened thereto, and on such board shall be marked in black letters two inches high the name, license number and post office address of the owner. Any net found not so marked will be liable to confiscation by the Division

of Commercial Fisheries, and any person violating this requirement may be punished as herein provided."

SECTION 4. Section 28-923.1, 1952 Code, added—penalties.—

The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated Section 28-923.1 to read as follows:

"Section 28-923.1. Any person violating the provisions of this article, Sections 28-921 through 28-923, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not less than ten days nor more than thirty days for the first offense. For the second offense the penalty shall be not less than fifty dollars nor more than one hundred dollars, or by imprisonment for not less than twenty days nor more than thirty days. For the third offense the penalty shall be a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than sixty days nor more than six months."

ARTICLE 13

Licenses and Taxes

SECTION 1. Section 28-931, 1952 Code, amended—fisheries tax on fish gathered.—Section 28-931, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-931. A fisheries tax is imposed on all fish gathered, taken or harvested for market from waters of the State, to wit:

(1) On each South Carolina bushel of oysters of four thousand seventy-one and one-half cubic inches or equivalent, one and one-half cent. On all oysters in the shell which are exported, an additional ten cents a bushel;

(2) On clams a tax of five cents a hundred pounds live weight basis;

(3) On hard crabs, ten cents a hundred pounds live weight basis or three and one-third cents a United States standard bushel;

(4) On white shad, five cents for each fish, and on hickory shad, two cents on each fish offered for sale or shipped from any point in the State to any point within or without the State. And all shad imported into this State shall be subject to the same tax before it may be offered for sale."

SECTION 2. Section 28-932, 1952 Code, amended—licenses required for certain fishing industries.—Section 28-932, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-932. An annual license for the year beginning July first as hereinafter stated shall be required of each person who shall engage in any of the following fishing industries for market: swimming fin fish from salt water, two dollars and fifty cents; shrimp, five dollars; sturgeon, five dollars."

SECTION 3. Section 28-933, 1952 Code, amended—citizens of South Carolina exempt from tax on fish taken for selves and families.—Section 28-933, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-933. There shall be no tax levied or collected from any bona fide citizen of the State to take fish, crabs, shrimp or oysters for himself or his family."

SECTION 4. Section 28-934, 1952 Code, amended—licenses on floating equipment to take shellfish—fees—exceptions—tax on self propelled boats.—Section 28-934, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-934. Licenses on floating equipment to take shellfish for market shall be issued by the Division of Commercial Fisheries and shall be as follows: On each barge or lighter not self-propelled of five tons or over, fifteen dollars; and on each barge or lighter of less than five tons, five dollars. Small boats, barges or lighters, except oyster batteaux, of less than twenty feet in length excepted.

Any self-propelled boat, barge or lighter of less than Custom House tonnage shall be taxed three dollars, and on any boat registered or enrolled in the United States Custom House, one dollar and fifty cents on each gross ton. The number of each license issued shall be displayed on the equipment for which it is issued."

SECTION 5. Section 28-935, 1952 Code, amended—license tax on fishing appliances—sturgeon nets exempted.—Section 28-935, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-935. The following license tax is hereby levied annually upon the different fishing appliances, except sturgeon nets, used in the waters of this State.

- (1) Anchor gill nets, stake gill nets, drift gill nets and beach seines, one dollar for each one hundred yards or fraction thereof;
- (2) Trap nets, floating, one dollar and fifty cents each;
- (3) Submerged trap nets, three dollars each;
- (4) Crab pots, six dollars a hundred or fraction thereof;

- (5) Shrimp trawl nets, five dollars each;
- (6) Purse seine nets, five dollars each; and
- (7) For any apparatus used and not above enumerated, other than cast nets, hook and line, and oyster grabs and tongs, the license shall be the same as that provided for the apparatus or appliance which it most resembles."

SECTION 6. Section 28-936, 1952 Code, amended—fees for licenses for sturgeon nets—resident and nonresident licenses for shipping or buying sturgeon or caviar.—Section 28-936, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-936. Licenses for sturgeon nets shall be nine dollars each. Resident licenses for buying and/or shipping sturgeon and caviar shall be sixty dollars. Each nonresident license for buying or shipping sturgeon and caviar shall be seventy-five dollars."

SECTION 7. Section 28-937, 1952 Code, amended—licenses for dealing in shad—fees.—Section 28-937, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-937. Licenses for buying, selling and shipping shad shall be, in addition to the net licenses, twenty-five dollars."

SECTION 8. Section 28-939, 1952 Code, amended—license for dealing in terrapin and terrapin farms—fees.—Section 28-939, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-939. There shall be a license to deal in terrapin and/or operate a terrapin farm, the fee for which shall be ten dollars each fiscal year."

SECTION 9. Section 28-944, 1952 Code, amended—licenses for shrimp or crab trawling boats—fees—nonresidents' fees—form of license—statement of master or captain—presumptions of master's or captain's presence in case of offenses—confiscation of unlicensed boats.—Section 28-944, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-944. All owners of shrimp and/or crab trawling boats who are residents of this State shall, before operating such boat in the waters of this State, obtain a license for the boat and pay therefor the sum of thirty dollars for each boat licensed.

All owners of shrimp and/or crab trawling boats who are nonresidents of this State shall, before operating such boats in the waters of this State, secure a license for each boat as required of residents

under the preceding paragraph, upon payment of the like sum of thirty dollars for each boat so licensed and shall, in addition, pay a fee of twenty-five dollars.

The license shall be in such form and obtained in such manner as the Commission may direct. Only one boat license shall be required to be taken out on a boat in any one year regardless of whether the boat is used in trawling for crabs or shrimp or both.

At the time of securing such licenses for any such boat the owner thereof shall file with the Division of Commercial Fisheries a sworn statement giving the name and address of the master or captain of the boat. If such licensed trawler is found violating any fisheries law of this State it shall be presumed in all criminal and civil proceedings that the registered master or captain was in fact upon the boat and such presumption shall be prima facie evidence of the presence of the master or captain upon the boat and that he was operating it at the time of the violation charged.

In addition to punishment provided for in Section 28-761, any boat trawling in the waters of this State, without first being licensed, shall be confiscated with its rigging and equipment, and shall be sold at public sale to the highest bidder for cash before the courthouse door of the county in which it was captured, after giving ten days' notice of such sale in a newspaper published in such county."

SECTION 10. Section 28-948, 1952 Code, amended—oath as to residences required of licensed applicants.—Section 28-948, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 28-948. The application executed by an applicant for a shrimp or crab boat license shall contain a statement under oath that he is a resident or nonresident as the case may be."

SECTION 11. Section 28-950, 1952 Code, amended—suspension of certain licenses.—Section 28-950, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-950. The Division of Commercial Fisheries shall immediately suspend for the period of time hereinafter stated, and have its designated inspector take up, any license issued under Section 28-932 upon conviction of any violation of any section in Article seven of this Chapter. Such suspension shall for a first offense be for ten days, for a second offense be for thirty days and for a third offense the license shall be revoked."

SECTION 12. Section 28-951, 1952 Code, amended—license required of persons dealing in fish—fees.—Section 28-951, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-951. Any person engaged in buying, selling, shipping, canning, shucking, or processing fish or fishery products shall first obtain from the Division of Commercial Fisheries a license, the sums of which are as follows:

(1) To engage in canning crabs (removing the meat from the crab and/or processing it and hermetically sealing it in a container), one hundred dollars. To process crabs or remove the meat from the crab and/or picking, freezing, pasteurizing, or otherwise processing the meat before it is sold, twenty-five dollars. To only buy and/or sell hard crabs either at wholesale or retail, or for shipping interstate or intrastate, twenty dollars.

(2) To engage in canning shrimp (peeling the shrimp and/or processing it and hermetically sealing it in a container), one hundred dollars. To only buy and/or sell shrimp either at wholesale or retail, or for shipping interstate or intrastate, twenty dollars.

(3) To engage in canning shellfish (removing the meat from the shellfish and/or processing it and hermetically sealing it in a container), one hundred dollars. For removing meats from the shellfish and selling them unprocessed, twenty-five dollars. To only buy, ship, and/or sell shellfish in the shell, twenty dollars.

(4) To engage in the processing of nonfood fish within the borders of this State shall pay an annual license tax on each plant as follows:

On fish scrap and/or oil extracting or separating plant, one hundred dollars.

(5) To engage in canning and/or processing salt water fish, other than set forth in subparagraph four (4), one hundred dollars.

The above licenses are in addition to those enumerated in Sections 28-931, 28-934, 28-935 and 28-944.”

SECTION 13. Section 28-952, 1952 Code, amended—licenses required to fish for nonfood fish—fees.—Section 28-952, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

“Section 28-952. Any person before fishing for or catching any nonfood fish shall procure from the Division of Commercial Fisheries a license authorizing such fishing and shall pay for such license the following tax: for each boat used in such fishing an amount equal to

one dollar per net tonnage of such boat to be paid by each owner of such boat residing in this State, and a tax of two dollars per net tonnage of any boat owned and operated by nonresidents of this State. In addition an individual license tax of four dollars shall be paid by each nonresident fisherman engaged in fishing in the waters of this State. The net tonnage of any boat shall be determined by customhouse measurements."

SECTION 14. Section 28-960, 1952 Code, amended—licensees to receive rules and regulations of Division of Commercial Fisheries and Coastal Fisheries Law.—Section 28-960, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows: "Section 28-960. The Division of Commercial Fisheries upon issuing any license under the provisions of this chapter shall furnish the licensee a copy of the printed rules and regulations of the Division and of the Coastal Fisheries Law."

SECTION 15. Section 28-961, 1952 Code, amended—disposition of revenues derived from fisheries and Coastal Fisheries Law—remittance of fines—statement of persons fined—arrangements with county treasurers relative to licenses—collections and remittances authorized.—Section 28-961, Code of Laws of South Carolina, 1952, as amended, is amended to read as follows:

"Section 28-961. All revenues from taxes, licenses, fines and forfeitures, rentals or other sources derived from the fisheries or from the operation and enforcement of the Coastal Fisheries Law shall be deposited with the State Treasurer.

The clerks of courts of general sessions shall promptly, after the end of the court session, forward to the Division of Commercial Fisheries at Charleston, South Carolina, such fines and forfeitures resulting from violations of the coastal fisheries laws. Such remittances shall be made payable to the State treasurer. All magistrates shall, upon receiving fines or forfeitures resulting from the violation of the coastal fisheries law forward to the Division of Commercial Fisheries at Charleston, South Carolina, the sum or sums received and the check shall be made payable to the State treasurer.

The aforesaid remittances shall be accompanied by a statement showing the name and address of the person fined or from whom the forfeiture was collected.

Provided the South Carolina Wildlife Resources Commission shall have authority as provided by Section 28-174 to promulgate rules

and regulations concerning the establishment in the coastal counties, or any of them, of arrangements with the County Treasurer for the issuance of licenses and receipts of collections and remittances of money for fines similar to and upon the terms now existing.”

SECTION 16. Section 28-962, 1952 Code, added—wholesaler defined—licenses.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-962 and to read as follows:

“Section 28-962. Wholesaler: Each person, firm, or corporation engaged in buying or handling fresh salt water fish or fisheries products for the purpose of resale at other than retail, whether handled on a commission basis or otherwise, and every person, firm, or corporation shipping fresh salt water fish or fishery products out of the State of South Carolina on consignment or order, shall be considered a wholesale dealer, *provided*, any person who takes salt water products and sells his catch to other than a licensed wholesaler shall be considered a wholesaler himself, and such person, firm or corporation shall be required to pay a license in the sum of twenty-five dollars per annum. Said licenses to be issued by the Division of Commercial Fisheries.

Any person, firm, or corporation, holding a license under Sections 28-795.1, 28-932, 28-936, 28-937, 28-939, 28-940, 28-951, and 28-964, shall not be required to purchase a license under this section, but no holder of a license under this section may use his license as a substitute for licenses required under other sections.”

SECTION 17. Section 28-963, 1952 Code, added—shipping certificates required.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-963 and to read as follows:

“Section 28-963. It shall be unlawful for any person, firm or corporation or any transportation agency or carrier to transport fresh salt water fish or fisheries products without having with the shipment a shipping certificate as required by the Division of Commercial Fisheries.”

SECTION 18. Section 28-964, 1952 Code, added—license for dealing in bait—fees.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-964 and to read as follows:

“Section 28-964. Any person, firm, or corporation engaged in selling any marine fisheries product as bait shall first obtain from the Division of Commercial Fisheries a license, the annual fee for which shall be five dollars.”

SECTION 19. Section 28-965, 1952 Code, added—licenses for power boats used for commercial fishing—fees—display of license.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-965 and to read as follows:

“Section 28-965. Any powerboat used for commercial fishing or using commercial fishing equipment (cast nets and oyster grabs or tongs excepted) not provided for in Sections 28-934, 28-944 and 28-952, shall obtain from the Division of Commercial Fisheries an annual license, the fee for which is as follows:

(1) Any powerboat up to and including eighteen feet in length, two dollars and fifty cents.

(2) Any powerboat with an overall length in excess of eighteen feet, ten dollars.

The number of each license issued must be displayed on the unit for which it is issued.”

SECTION 20. Section 28-966, 1952 Code, added—penalties for failing to make reports and pay taxes.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-966 and to read as follows:

“Section 28-966. Any person licensed under this Article who shall fail to make the reports required by the Division of Commercial Fisheries on or before the tenth day of each month after the close of business for the preceding month, and who shall fail to pay the taxes as prescribed in this Article shall, upon conviction, be fined not less than twenty-five dollars nor more than one hundred dollars, or be imprisoned for not less than ten days nor more than thirty days for the first offense. And for the second offense shall be fined not less than fifty dollars nor more than one hundred dollars, or be imprisoned for not less than twenty days nor more than thirty days. And for the third offense shall be fined not less than one hundred dollars nor more than five hundred dollars, or imprisoned for not less than sixty days nor more than six months. And every day of delay in transmitting the taxes and reports shall constitute a separate offense, and after having been convicted three times the Division of Commercial Fisheries is authorized to revoke the license.”

ARTICLE 14**Restricted Areas in Charleston County**

SECTION 1. **Section 28-971, 1952 Code, added—restricted areas of coastal waters and ocean beds in Charleston County.**—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-971 and to read as follows: “Section 28-971. There are hereby established as restricted areas the following areas or portions of the coastal waters and ocean beds of Charleston County:

(1) That portion or area lying northeast of the north jetty at the mouth of Charleston harbor and the line of said north jetty extended one mile into the ocean and lying southwest of a line running southeast (true), starting at a point on the northeast shore of the inlet known as Dewees Inlet on the Dewees Island side of said inlet, which point is where the northeast shore of said inlet at mean high water intersects the ocean beach line of Dewees Island and which line runs from said point southeast (true) one mile into the ocean, the area so designated being all that lies to the southeast of the ocean beaches or shores of Sullivan’s Island and the Isle of Palms and southeast of said beach lines extended across all intervening inlets or breaks in the beach lines and between the two lines hereinabove designated and extending one mile into the ocean;

(2) That portion or area lying southwest of a line running due southeast (true), starting at a point on the southwest shore of the inlet known as Morris Island Lighthouse Inlet on the Folly Island side of said inlet, which point is where the southwest shore of said inlet at mean high water intersects the ocean beach line of Folly Island and which line runs from said point southeast (true) one mile into the ocean and lying northeast of a line running southeast (true), starting at a point on the northeast shore of the inlet known as Stono Inlet on the Folly Island side of said inlet, which point is where the northeast shore of said inlet at mean high water intersects the ocean beach line of Folly Island, and which line runs from said point southeast (true) one mile into the ocean; the area so designated being all that lies to the southeast of the ocean beach or shore of Folly Island and between the two lines hereinabove designated and extending one mile into the ocean; and

(3) That portion or area lying northeast of a line running due southeast (true), starting at a point on the northeast shore of the

mouth of South Edisto River on the Edisto Island side of said inlet, at the place now known as Edisto Beach, formerly as McConkey's Beach, which point is where the northeast shore of said river at its mouth at mean high water intersects the ocean beach line of said Edisto Beach, and which line runs from said point southeast (true), one mile into the ocean and lying southwest of a line running southeast (true), starting at a point on the southwest shore of the inlet known as Frampton's Inlet on the Edingsville Beach side of said inlet, which point is where the southwest shore of said inlet at mean high water intersects the ocean beach line of Edingsville Beach on Edisto Island, and which line runs from said point southeast (true) one mile into the ocean; the area so designated being all that line to the southeast of the ocean beaches or shores of Edisto Island known as Edisto Beach and Edingsville Beach and between the two lines hereinabove designated and extending one mile into the ocean."

SECTION 2. Section 28-972, 1952 Code, added—range markers or buoys.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-972 and to read as follows:

"Section 28-972. Day markers and buoys may be placed by or under the direction of the Division of Commercial Fisheries on the beaches and one mile off shore on the range of the respective lines herein designated which, when placed, shall control the range. But the absence of any such range markers or buoys shall not affect or impair the operation or enforcement of this article as the lines can be determined from United States Coast and Geodetic Survey Chart No. 1239, date July, 1930, and corrected to December 19, 1935. The expense of erecting such range markers and buoys shall be defrayed by the Division."

SECTION 3. Section 28-973, 1952 Code, added—areas restricted during certain period.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-973 and to read as follows:

"Section 28-973. The areas described in Section 28-971 shall be restricted only from May fifteenth through September fifteenth of each year, both inclusive."

SECTION 4. Section 28-974, 1952 Code, added—trawling in restricted areas prohibited—penalties.—The Code of Laws of South

Carolina, 1952, is amended by adding a new section to be designated as Section 28-974 and to read as follows:

"Section 28-974. Any person who shall trawl, drag or tow or cause or permit to be dragged or towed behind any boat or vessel powered by gas, steam, electricity, or oil, sail or any motive power other than man power with oars or poles any trawl or net or other device, contrivance, or appliance for scooping or otherwise taking shrimp, fish or other forms of marine life upon or over the ocean bed or in the waters over the ocean bed within any of such restricted areas or who shall cause, suffer or permit any such boat or vessel owned or operated by such person or the crew thereof to trawl or drag as aforesaid within any part of such areas and any person or member of the crew engaging or participating in the same shall be guilty of a violation of this section and shall upon conviction be fined not less than twenty-five dollars nor more than thirty days for the first offense and for the second and each subsequent offense shall be fined not less than one hundred and ten dollars nor more than two hundred and fifty dollars or be imprisoned for not less than thirty nor more than sixty days."

SECTION 5. Section 28-975, 1952 Code, added—further.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-975 and to read as follows:

"Section 28-975. Any person dragging or towing behind any such boat or vessel described in Section 28-974 any net, trawl or other device or appliance within any of such restricted areas whether or not such net, trawl or other device or appliance is at the time actually in contact with the ocean bottom or not and whether it is being used at the time for the catching of shrimp, fish or other form of marine life or for the purpose of washing or cleaning the net or not, shall be guilty of a violation of this article and shall be subject to the penalties prescribed in Section 28-974."

SECTION 6. Section 28-976, 1952 Code, added—Division of Commercial Fisheries to enforce article.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-976 and to read as follows:

"Section 28-976. The Division of Commercial Fisheries shall enforce the provisions of this article."

SECTION 7. Section 28-977, 1952 Code, added—navigation and fishing other than by nets and trawls permitted in restricted

areas.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-977 and to read as follows:

“Section 28-977. Nothing contained in this article shall be construed to interfere with or abridge the free use of such restricted areas or any part thereof for all the purposes of navigation and all purposes of fishing otherwise than by nets and trawls in the manner herein prohibited.”

SECTION 8. Section 28-978, 1952 Code, added—trawling permitted in waters other than restricted areas in Charleston County.

—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-978 and to read as follows:

“Section 28-978. All areas of the coastal waters of Charleston County lying outside of the creeks, rivers, inlets, bays (Bull Bay excepted), harbors and sounds or other inland waters, other than and excepting the areas hereinbefore specifically set apart, shall be open to the use of trawling boats and vessels under such regulations as may be provided by law.”

SECTION 9. Section 28-979, 1952 Code, added—provisions of article not to impair other trawling laws.—The Code of Laws of South Carolina, 1952, is amended by adding a new section to be designated as Section 28-979 and to read as follows:

“Section 28-979. Nothing in this article shall be taken to impair or affect any other law regulating or affecting trawling in any of the coastal waters or ocean beds lying outside of the areas set aside in this article.”

ARTICLE 15

SECTION 1. Repeal—Sections listed below repealed.—Sections 28-772, 28-776, 28-784, 28-797, 28-798, 28-824, 28-825, 28-871, 28-874, 28-875, 28-892, 28-893, 28-912, 28-914, 28-938, 28-940, 28-941, 28-942, 28-943, 28-945, 28-947, 28-949, 28-953, 28-954, 28-955, 28-956, 28-957, 28-958 and 28-959, Code of Laws of South Carolina, 1952, are hereby repealed.

SECTION 1-A. Wildlife Resources Commission may consolidate positions and adjust salaries with approval of Budget and Control Board.—In order to secure a more effectual administration of this Act, the South Carolina Wildlife Resources Commission shall

have the authority to consolidate positions within the Department with the approval of the Budget and Control Board and shall have the authority to adjust salaries provided the same does not increase the total amount of the appropriation of the respective Divisions, and provided such adjustments meet the approval of the Budget and Control Board.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R451, H1649)

No. 260

An Act To Amend Section 60-102, Code Of Laws Of South Carolina, 1952, Relating To The Recordation Of Instruments Affecting Any Existing Lien On Real Property, So As To Make Further Provision For The Recordation Of Such Instruments In Counties Where Such Records Are Photographed, Microphotographed Or Filmed.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 60-102, 1952 Code, amended—recordation of photographed, microphotographed or filmed instruments affecting liens on real property.—Section 60-102, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: “*Provided*, that in any county where the records are photographed, or microphotographed, or filmed, and there shall be no place upon the record of the recorded mortgage or other written instrument or upon the margin of the recorded mortgage or other written instrument sufficient for the recordation of such contract in the nature of a subordination, waiver or extension, such documents may be separately recorded as other instruments, and notation of the place of such recordation shall be entered on the index for said mortgage or other written instrument, or in a legible manner in the jacket or other container for such photograph, microphotograph or film.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R452, H1650)

No. 261

An Act To Amend Section 60-108, Code Of Laws Of South Carolina, 1952, Relating To The Recordation Of Instruments Affecting Any Existing Lien On Personal Property, So As To Make Further Provision For The Recordation Of Such Instruments In Counties Where Such Records Are Photographed, Microphotographed Or Filmed.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 60-108, 1952 Code, amended—recordation or photographed, microphotographed or filmed instruments affecting liens on personal property.—Section 60-108, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following: “*Provided*, that in any county where the records are photographed, microphotographed or filmed, and there shall be no place upon the record of the recorded mortgage or other written instrument, or upon the margin of the recorded mortgage or other written instrument sufficient for the recordation of such assignments, satisfactions, releases, contracts in the nature of subordinations, waivers and extensions of chattel mortgages or other instruments, such documents may be separately recorded as other instruments, and notation of the place of such recordation shall be entered on the index for said mortgage or other written instrument, or in a legible manner in the jacket or other container for such photograph, microphotograph or film.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R434, H1615)

No. 262

An Act To Authorize And Empower The Mental Health Commission To Promulgate Rules And Regulations Relative To Traffic And Parking At The State Hospital And Pineland; To Provide Penalties For Violating The Provisions Hereof; And To Require All Fines Collected Hereunder Be Deposited To The General Fund Of The State Hospital Or Pineland.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Mental Health Commission may make rules and regulations regarding traffic at State Hospital and Pineland.—

The South Carolina Mental Health Commission is hereby authorized and empowered to adopt and promulgate rules and regulations governing and controlling use of the roads, streets, and parking facilities by operators of vehicles within the area and lands of the State Hospital and the Pineland Training School and Hospital. No such rules and regulations shall be in conflict with any State law on the subject, all of such State laws being hereby declared in force and applicable to the roads, streets, and parking facilities under the control and authority of the Mental Health Commission. Copies of the rules and regulations shall be filed with the administrative heads of both institutions, the Secretary of State, the Code Commissioner, the City of Columbia and the Magistrate's office in Upper Township in Richland County.

SECTION 2. Enforcement of laws.—Marshals employed at both institutions shall enforce the laws, rules and regulations mentioned above and are authorized to and shall issue summonses to all violators, in the same manner as provided for highway patrolmen.

SECTION 3. Penalties.—Any person violating the provisions of any of the rules and regulations prescribed by the Commission shall, upon conviction, be fined not less than two dollars nor more than fifty dollars, or be imprisoned for not more than fifteen days in accordance with the schedule published by the Commission; violations of any other laws shall be punished as provided therefor.

SECTION 4. Place of trials—forfeiture of bond.—Persons violating the provisions of any of the applicable laws, rules or regulations shall be tried by the magistrate or recorder having jurisdiction of the area in which the particular institution is situate; *provided*, any

person who desires to forfeit bond may pay the amount of the minimum fine to the Treasurer of the State Hospital or Pineland.

SECTION 5. Disposition of fines.—All fines and bail forfeitures collected, under the provisions of this act, shall be credited to the General Fund of the State Hospital or Pineland, dependent upon where the violation occurred. All fines and bail forfeitures, resulting from the enforcement of this act, shall be forthwith forwarded by the city recorder or magistrate to the State Hospital or Pineland to be credited to their respective general funds.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R457, S137)

No. 263

An Act To Amend Section 21-101, Code Of Laws Of South Carolina, 1952, As Amended, Relating To County Boards Of Education, So As To Increase The Number Of Members Of The Board In Darlington County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 21-101, 1952 Code, further amended—Darlington County Board of Education — members — appointments.—Section 21-101, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following: "In Darlington County, the Board of Education shall be composed of eight members, one of whom shall be the county superintendent of education who shall be a member ex officio. Of the remaining seven members, two shall be appointed from each of the three attendance areas in the county, and one member shall be from the county at large, all of whom shall be appointed as now provided by law."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R459, S320)

No. 264

An Act To Fix The Jurisdiction Of Magistrates In Chester County In Civil Cases.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Civil jurisdiction of Chester County magistrates.—In Chester County the jurisdiction of magistrates in civil cases shall extend to where the value of the property in controversy or the amount claimed is not more than five hundred dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R460, S332)

No. 265

An Act To Validate The Creation Of The Pickens County Library Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County Library Board validated.—The creation of the Pickens County Library Board is hereby validated and declared to be legal in all respects. The membership and terms of the members and their manner of election shall continue in full force and effect in the same manner as that in practice on the effective date of this act.

SECTION 2. Powers and duties.—The board shall make such reasonable rules and regulations as it may deem proper for the use, management, control and operation of the library. It may receive

donations of money and of books for the benefit of the library, dispose of such books as may be deemed obsolete and worn out, purchase new books, provide for the upkeep and orderly management of the library, and have such general authority in connection with its duties as enjoyed on the effective date of this act.

SECTION 3. Further.—Pickens County shall maintain such property as is either owned or leased by it for library purposes. The county library board will make such expenditures and shall expend such amounts as are authorized in the annual appropriation act for the county.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R461, S334)

No. 266

An Act To Repeal Act No. 46 Of The Acts And Joint Resolutions Of The General Assembly, 1955, Dispensing With The Tales Box In Aiken County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 46 of 1955 repealed.—Act No. 46 of the Acts and Joint Resolutions of the General Assembly, 1955, dispensing with the tales box in Aiken County, is hereby repealed.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R462, S300)

No. 267

An Act Authorizing The Creation Of Water Districts In Laurens County And Vesting The Laurens County Planning And Development Commission With Certain Duties In Connection Therewith; Providing For The Control And Government Of The Water Districts And Authorizing The Levy On All Taxable Property Within Any District; And Further Authorizing The Issuing By Any District Of Bonds Not In Excess Of One Million Dollars If Approved By The Qualified Electors Of The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County Planning and Development Commission—duties concerning water districts.—The Laurens County Planning and Development Commission is hereby charged with the duty to make surveys and propose water districts for Laurens County whenever in its opinion said surveys and water districts are necessary to serve the needs of Laurens County.

SECTION 2. Proposal of new districts.—Whenever in the opinion of the Laurens County Planning and Development Commission it is for the best interest of the County that a water district be created it shall so certify in writing, duly verified, and file same with the Clerk of Court for Laurens County, together with a plat showing the area to be included in the proposed district.

SECTION 3. Election on proposed district.—Upon receipt of the certification and plat of the proposed water district the Clerk of Court shall thereupon notify the Commissioners of Election for Laurens County who shall call an election of the qualified voters to vote upon the establishment of the district. The expenses of the election shall be paid by the Laurens County Planning and Development Commission.

SECTION 4. Conduct of election.—The Commissioners of election shall select some place within the proposed district for the holding of the election and shall appoint the managers thereof. They shall give notice of the time and place of the election for at least two weeks in a newspaper published in the County and by posting notice thereof in at least three places within the proposed district.

SECTION 5. Persons entitled to vote.—All qualified electors residing within the proposed district and all freeholders of the proposed district whether they reside therein or not shall be entitled to vote.

SECTION 6. Results.—At such election the qualified voters shall vote “yes” or “no” on the establishment of the proposed water district. Upon the completion of the election the Commissioners shall certify the results of the election to the Clerk of Court for Laurens County.

SECTION 7. Commissioners to be appointed if election favorable.—If a majority of those voting in favor of the establishment of the water district the Clerk of Court shall so certify to the Laurens County Legislative Delegation and as soon as practicable thereafter the Laurens County Legislative Delegation shall recommend three residents of the water districts to the Governor of South Carolina for appointment as Commissioners of the district who shall serve for a period of three years or until their successors are appointed and qualified. All vacancies shall be filled in the same manner.

SECTION 8. Oath — officers — commissioners to be governing body.—Upon appointment the Commissioners shall qualify by taking the usual oath of office, after which they shall organize by electing one of their members as chairman and another as secretary. Upon their qualification the said Board of Commissioners shall be a body politic and shall constitute the governing body of the water district.

SECTION 9. Powers and duties.—Any district created and established under the provisions of this act, through its board of Commissioners, shall have and exercise powers and duties as follows:

- (1.) Have perpetual succession.
- (2.) Sue and be sued.
- (3.) Adopt, use and alter a corporate seal.
- (4.) Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
- (5.) To buy, accept as gifts, construct, establish, enlarge, maintain, conduct, and operate a water system or plant, or water systems or plants to provide and furnish an adequate supply of water, for all purposes, for the district and the residents thereof, it being entirely within the discretion of the board of commissioners to determine the manner in which it shall furnish and provide the water, whether by establishing and equipping a water system within the district, or to do so in conjunction with any other person, corporation or corporate body empowered to act, or to enter into a contract or contracts for such purpose by having water or facilities for providing water, furnished it from any

other source and paying therefor in accordance with the terms of such contract, or by any other means advisable to the board of commissioners.

(6.) To acquire, purchase, lease and sell such real estate, easements, rights-of-way, and personal or mixed property as may be deemed necessary to enable the district to carry out and perform the duty of providing an adequate water supply for the district and its residents.

(7.) To make any and all contracts, to employ such engineers, office and clerical help as may be deemed necessary, to fix the compensation of such employees, to acquire all necessary equipment and facilities and do all such other things that it may deem necessary to provide and furnish an ample supply of water for the district and its residents.

(8.) To sell water from its plant or system to the residents of the district, or to those not residents thereof if there remains a surplus after having provided the requirements of those who are residents of the district in conformity with a rate schedule to be prescribed by it, and to make and enforce such reasonable rules and regulations as it may deem proper to secure itself against nonpayment of its charges therefor.

(9.) To purchase any water system or plant, or any part thereof, already existing, or being operated within the district, on such terms and at such price as the board of commissioners may deem proper, having in mind at all times the value thereof to the district's system or plant as a whole.

(10.) The power of condemnation for the purposes herein conferred upon it.

SECTION 10. Raising of funds.—The district shall have the power to raise funds necessary for the discharge of the powers vested in it, including the payment of principal and interest of all bonds, if and when any such bonds may be issued, in either of the following ways, or by a combination thereof, in the discretion of its board of commissioners:

- (a) By selling water to be supplied by the district; and
- (b) By levying a tax upon all the taxable property of the district.

SECTION 11. Issue bonds.—The district, by and through its board of commissioners, in order to enable it to carry out the purposes of its

creation and organization, which is to provide an ample supply of water for its residents, is hereby authorized and empowered to issue bonds of the district in the sum of not more than one million dollars, the proceeds from which shall be used by the district in establishing, acquiring, extending, enlarging and maintaining water plants or water systems in the district. The bonds may be issued as a single issue or from time to time as several separate issues. The bonds shall be issued as serial bonds, maturing in such equal or unequal amounts as the board of commissioners shall determine, except that the maturity schedule of any series or issue of bonds, issued pursuant to this act, shall be arranged so that the last annual installment shall fall due not later than twenty-five years from the date such series or issue of bonds shall bear. Any bond issued pursuant to this act may, at the discretion of the board of commissioners, contain a provision permitting its redemption prior to its stated maturity at premium figures. Such issue or series of bonds shall bear such date or dates, and such rate or rates of interest as the board of commissioners may determine. Each issue or series of bonds shall be in such denomination or denominations, and shall be payable at such place or places as said board of commissioners may by resolution determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Laurens County and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the board of commissioners may prescribe. The bonds shall be signed by the chairman and secretary of the board of commissioners of the district and the seal of the Water District shall be affixed to or impressed upon the bonds, but the coupons on the bonds need not be authenticated other than by the facsimile signatures of the officials lithographed or engraved thereon. The bonds shall be issued and sold from time to time, and in such amounts as the board of commissioners of the district shall determine. The sales shall be made to the highest bidder for cash after such advertisement as the board may deem proper, but the board shall have the right to reject any and all bids in its discretion. No bonds shall be sold at less than par and accrued interest to the date of delivery.

SECTION 12. Payment of bonds.—For the payment of the bonds and interest thereon, as they mature, the full faith, credit and resources of the district are hereby irrevocably pledged, and the Auditor and Treasurer of Laurens County, respectively, are hereby authorized and

directed to levy and collect annually a tax upon all taxable property within the district, lying in Laurens County, sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The bonds shall be additionally secured by a pledge of the net revenues which the district may derive from the operation of its water plants or systems. Such net revenues shall be delivered to the Treasurer of Laurens County, and he shall set them apart in a special fund and apply them solely to the payment of the principal and interest of the bonds authorized by this act, so long as any principal and interest of the bonds remain outstanding. The annual ad valorem tax herein directed to be levied may be reduced in each year by the amount of net revenues as aforesaid, actually in the hands of the Treasurer of Laurens County at the time the tax for such year is required to be levied, exclusive of cushion or reserve fund, and the tax may be entirely suspended for any year in case such moneys on hand, applicable as aforesaid, are sufficient to pay both principal and interest then due or falling due in such year and remaining unpaid. The commission shall be empowered to make such covenants as it deems desirable with respect to the operation and maintenance of its water plants or systems and of the use of the revenues for such purposes; it may covenant to establish a cushion or reserve fund and to set aside moneys to establish such a fund to insure the punctual payment of the principal and interest of the bonds authorized hereby; and it may provide for the establishment of funds to care for contingencies and for depreciation. The pledge of the net revenues herein required need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds additionally secured by such pledge, on a parity with the bonds authorized by this act, under such conditions as the commission shall prescribe.

SECTION 13. Proceeds from bonds.—The proceeds of the sale of the bonds as authorized herein shall be kept in a separate fund and shall be paid out, or used for no other purposes than those specified herein, and then only upon the orders, warrants or checks of the board of commissioners of the district.

SECTION 14. Use of excess income.—Any income derived by or coming to the credit of the district from any source in excess of the amount necessary for the maintenance of the water plants or systems

in the district shall be applied by the board of commissioners of the district, first to the payment of interest on bonds as it becomes due, and next to the sinking fund for the retirement of bonds as they mature.

SECTION 15. Election on issuance of bonds.—Before any such bonds may be issued a special election shall be held on a date to be fixed by the board of commissioners of the district at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes hereinbefore specified. The election shall be conducted by the board of commissioners of the district, who shall give notice thereof by publication once each week for three successive weeks prior thereto in one or more newspapers with general circulation in the district stating the question to be submitted at the election and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several polling precincts in the district, as they are now established by law. The question submitted shall be in substantially the following form:

“Shall the Water District issue bonds in a sum not exceeding one million dollars, the proceeds of which shall be used to establish a water system in the district?

YES

NO”

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word, “NO”, and that if he is opposed to the issuance of bonds, he shall erase or strike through the word, “YES”. The managers of the election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Board of Commissioners of the Water District, who shall declare the result of the election. If the board determines that a majority of the voters voting in the election voted in favor of the issuance of the bonds, the bonds or any part thereof may be issued, as herein provided, in one or more series and from time to time as the board may determine best, but if the board determines that a majority of the ballots cast in the election be against the issuance of the bonds, then no bonds shall be issued under the provisions of this act. Save and except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 17. Time effective.—This act shall take effect upon its approval by the Governor.

Approved the 28th day of May, 1959.

(R463, S313)

No. 268

An Act To Amend Section 27-78, Code Of Laws Of South Carolina, 1952, Relating To Fees Charged By The Clerk Of Court In Chester County, So As To Increase Said Fees And Make Provisions For Additional Fees And To Provide That The Judge Of Probate Shall Charge Two Dollars When Taking An Application For A Marriage License Instead Of Collecting Same When The License Is Issued.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 27-78, 1952 Code, amended—clerk of court fees for Chester County.—Section 27-78, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 27-78. The fees and commissions of the clerk of court of Chester County shall be as set forth in this section except that if the fee for any service is not set forth in this section then such fee shall be as provided by general law: (a) for a special order for bail, fifty cents; (b) for signing and sealing each renewal of an execution, twenty-five cents; (c) for entering satisfaction on a judgment, twenty-five cents; (d) for taking security for costs and entering an order thereon, if made, fifty cents; (e) for recording a decree (except foreclosure), partition or report, nine cents per copy sheet of ninety words; (f) for signing and sealing a commission to examine a witness, one dollar; (g) for examining each witness de bene esse, one dollar; (h) for an exemplification of a proceeding or other office copy, nine cents per copy sheet of ninety words; (i) for recording a plat of land under an order of the court or copying such a plat, one dollar; (j) for a rule of survey, fifty cents; (k) for issuing a writ of attachment for contempt or other special writ, one dollar; (l) for signing and sealing a writ of habere facias possessionem, one dollar; (m) for receiving and paying over money officially: two per cent

if under three hundred dollars and if three hundred dollars or more two per cent on the first three hundred dollars and one per cent for the balance; (n) for every appeal from a magistrate, all services included, except for issuing an execution therein, one dollar; (o) for filing a petition and signing a writ de lunatico inquirendo, one dollar; (p) for furnishing advertisements in cases of escheat, exclusive of printer's bill, one dollar; (q) for recording whole proceedings therein, two dollars; (r) for filing and entering a notice of an alien's intention to become a citizen, one dollar; (s) for filing and recording a report of an alien, one dollar; (t) for administering an oath of intention, one dollar; (u) for filing and entering an application to become a citizen and administering the oath, two dollars; (v) for giving a certificate (over seal of office) of citizenship, one dollar; (w) for swearing a magistrate or constable in office, taking constable's bond and giving a certificate thereof, one dollar; (x) for signing and sealing a dedimus postestatem, one dollar; (y) for an official certificate to an exemplification of a record, one dollar; (z) for each day engaged in holding reference, three dollars; (aa) for hearing an application for a discharge of an insolvent debtor, two dollars and for hearing such application when litigated, four dollars; (bb) for making up and returning a report on a reference, but no more than one report in each case, three dollars; (cc) for a real estate mortgage with or without dower, or other instrument securing the payment of money, two dollars; (dd) for a deed of conveyance, with or without dower, one dollar and fifty cents; (ee) for indexing and recording of chattel mortgages, one dollar; (ff) for indexing in the chattel mortgage indices property covered in real estate mortgages, twenty-five cents; (gg) for an official notice of estray and filing papers, one dollar, (hh) for recording and copying deeds or other papers, nine cents per copy sheet of ninety words; (ii) for entering satisfaction on a real estate mortgage, fifty cents and on a chattel mortgage, twenty-five cents; (jj) for recording or copying a plat of not more than two square feet in size, one dollar, and for each additional square foot or fraction thereof, fifty cents; (kk) for enrolling and recording a transcript of a judgment from a magistrate's court, and issuing execution thereon, one dollar; (ll) for recording an assignment of a mortgage, judgment or other instrument creating a lien, fifty cents; (mm) for recording a release of the lien of a judgment, mortgage, or other written instrument, one dollar; (nn) for issuing a writ of attachment in a civil action, including costs due, five dollars; (oo)

for entering a default judgment, including issuance of execution, two dollars; (pp) for a certificate of removal to a federal court and certifying a record, five dollars; (qq) for certifying a transcript of record on an appeal to the Supreme Court, five dollars; (rr) for costs for each jury trial in the court of common pleas, nine dollars; (ss) for foreclosure of a real estate mortgage or a partition, ten dollars, except that if the property sells for less than one thousand dollars such costs shall be five dollars; (tt) for the registry of a notary public, one dollar; (ww) for entering a judgment of the Industrial Commission, two dollars; (xx) for changing a name in the court of common pleas, five dollars; (yy) for entering, indexing, issuing executions and satisfying State or Federal tax liens, one dollar; (zz) for entering final decree of divorce by litigation, ten dollars; (aaa) for entering final decree of divorce by default, five dollars; (bbb) for filing a lis pendens, one dollar; (ccc) for filing and docketing any civil case, one dollar; (ddd) for filing any order in a civil case for which no filing and docketing fee has been paid, one dollar; (eee) and for recording any lease, one dollar and fifty cents.

If any mortgage, deed or chattel mortgage exceeds five pages in length, there shall be an additional charge of fifty cents per page for recording such excess.

Nothing in this section shall be deemed to apply to criminal process or cases."

SECTION 2. Chester County—marriage license fee to be paid when application made.—In Chester County the two dollar fee heretofore paid to judge of probate for issuing a marriage license shall be paid at the time application is made therefor.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

And Assessment Control; To Devolve On Such Board The Duties And Powers Previously Exercised By Township Boards Of Assessors In Chester County; To Provide For The Appointment, Compensation And Duties Of A Tax Appraiser For Chester County; And To Provide For A Property Tax Assessment Manual.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chester County Board of Equalization and Assessment Control—duties.—The name of the Chester County Board of Equalization is hereby changed to the Chester County Board of Equalization and Assessment Control. Such board shall have, in addition to its present duties and powers, all the duties and powers previously exercised by township boards of assessors in Chester County.

SECTION 2. Office of Tax Appraiser created for Chester County.—There is hereby created the office of Tax Appraiser for Chester County which shall be filled by a person appointed by the Governor upon the recommendation of the Senator and one-half of the members of the House of Representatives from Chester County. The Tax Appraiser shall act as executive secretary of the Chester County Board of Equalization and Assessment Control and shall receive such compensation as may be provided in the Chester County Supply Act or as fixed by the Senator and one-half of the members of the House of Representatives from Chester County. The Tax Appraiser shall select such personnel to assist him in his duties as he deems necessary, whose compensation shall be as provided in the Chester County Supply Act or as fixed by the Senator and one-half of the members of the House of Representatives from Chester County. He shall be charged with the duties as set forth in Act No. 935 of the Acts of 1958, subject to the direction and guidance of the board of equalization and assessment control.

SECTION 3. Property tax assessment manual to be prepared.—The county manager of Chester County is hereby authorized and directed to have prepared a property tax assessment manual to be used in the assessment and equalization of property taxes in Chester County. Such assessment manual shall be prepared by a person or persons qualified to prepare such a manual; *provided*, however, that no such assessment manual shall be authorized until funds are made

available by the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 4th day of June, 1959.

(R466, S333)

No. 270

An Act To Limit The Criminal Jurisdiction Of Magistrates In Georgetown County To Those Criminal Cases Originating In Their Own Townships, And To Divide Township No. 7 And Specify The Criminal Jurisdiction Of Magistrates In That Township.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Georgetown County—criminal jurisdiction of magistrates.—The criminal jurisdiction of magistrates in Georgetown County is hereby limited to those criminal cases originating in the township of the magistrate concerned, subject to the right of change of venue as provided by law. In Township No. 7, criminal jurisdiction shall be limited in that area north of Brookgreen Gardens to the magistrate at Murrell's Inlet, and criminal jurisdiction in that area south of Brookgreen Gardens shall be limited to the magistrate at Pawley's Island.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R467, S336)

No. 271**An Act To Create A Drainage Commission For Georgetown County And To Outline The Duties Of Such Commission.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Drainage Commission created for Georgetown County—members—appointments—terms.—There is hereby created a Drainage Commission for Georgetown County which shall consist of five members who shall be appointed as follows: one shall be appointed by the Georgetown Soil Conservation Corps from among its members; one shall be appointed by the Georgetown County Board of Commissioners from among its members; and three shall be appointed by a majority of the legislative delegation from the county, including the Senator. The terms of office of members of the Commission shall be for two years and they shall serve until their successors are appointed and qualified.

SECTION 2. Powers and duties.—The Commission shall have complete supervision of the county dragline and the operation thereof and shall designate such areas in the county that are to be drained. The Commission is authorized to lend the dragline to the County Board of Commissioners, to be used under supervision of the County Board, when such dragline is not being used for drainage; *provided*, however, that the Drainage Commission shall lend the dragline to the County Board of Commissioners for emergency use when the Chairman of the County Board of Commissioners shall certify that such use is required by an emergency.

SECTION 3. Expenses.—The County Board of Commissioners shall defray all expenses for the operation and maintenance of the dragline from funds provided for roads, bridges and ferries; *provided*, that operational and maintenance expenses for any one year shall not exceed ten thousand dollars unless approved by the County Board of Commissioners.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R469, S335)

No. 272**An Act To Provide A Schedule Of Certain Fees To Be Collected In Horry County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Schedule of fees to be collected in Horry County.

—Notwithstanding any other provisions of law, the following schedule of fees shall be collected in Horry County. The collection and disposition of such fees shall be made in such manner as is now provided by law for the collection and handling of fees of a similar nature.

Indexing chattel mortgage securing less than \$100.00 with duplicate	\$ 1.00
Indexing chattel mortgage securing less than \$100.00 without duplicate	1.50
Bill of sale, where copy is furnished to clerk	1.00
(A charge of 50¢ a page shall be made for each page in excess of 1.)	
Bill of sale, where no copy is furnished to clerk	1.50
(A charge of 50¢ a page shall be made for each page in excess of 1.)	
Crop liens, with duplicate	1.25
Crop liens, without duplicate	1.50
Deed of conveyance not over 2 pages, with or without dower, but to include auditor's fee	2.00
(A charge of 50¢ a page shall be made for each page in excess of 2.)	
Lease	2.00
(A charge of 50¢ a page shall be made for each page in excess of 2.)	
Mechanics' Lien	2.00
(A charge of 50¢ a page shall be made for each page in excess of 1.)	
Mortgage, real estate, short form, with or without dower	2.00
(A charge of 50¢ a page shall be made for each page in excess of 2.)	
Plat to real estate, where copy is furnished to clerk	2.00
(If no copy of plat is furnished a charge of 50¢ will be made for each photo page.)	

Power of attorney	2.00
(A charge of 50¢ a page for each page in excess of 2.)	
Right of way and easement over real property	2.00
(A charge of 50¢ a page for each page in excess of 2.)	

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R470, S337)

No. 273

An Act To Amend Section 2 Of Act No. 322 Of 1953, As Amended, Relating To The Board Of Trustees Of The School District Of Oconee County, So As To Provide For The Date Of Their Elections.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 322 of 1953, further amended—Board of Trustees for the School District of Oconee County—members—election—vacancies—powers and duties.—Section 2 of Act No. 322 of 1953, as amended, is further amended to read as follows :

“Section 2. The public educational system of Oconee County shall be directed and managed by the Board of Trustees of the School District of Oconee County. The board shall be composed of nine members with one each to be elected from each of the high school areas. The election shall be held on the third Saturday in June and only the residents of each high school area shall vote for the representative of the area in which such voter resides. Any vacancy occurring on the board shall be filled for the unexpired term as now provided for filling such vacancies. Any and all duties which are now or which may hereafter by any special or general law be devolved upon the Board of Education of Oconee County are hereby imposed upon and devolved upon the Board of Trustees of the School District of Oconee County. All remittances and reports required by law to be made by any department of the government to the county

board of education shall be made to the Board of Trustees of the School District of Oconee County, as established under this act."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R471, S338)

No. 274

An Act To Amend Act No. 873 Of 1958, Relating To Assessment Of Taxes In Oconee County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 873 of 1958, amended—Oconee County to have one tax assessment district.—Section 1 of Act No. 873 of 1958 is amended to read as follows:

"Section 1. There shall be one tax assessment district in Oconee County."

SECTION 2. Section 2 of Act 873 of 1958, amended—Board of Tax Assessors and Equalization — members — appointments—terms—compensation.—Section 2 of Act No. 873 of 1958 is amended to read as follows:

"Section 2. There shall be a Board of Tax Assessors and Equalization composed of six members, one of which shall be a resident of Seneca, one of which shall be a resident of Walhalla, and one of which shall be a resident of Westminster, and three of which shall be from the county at large, but not from any of the three towns named herein.

All such members shall be appointed by the Governor by and with the recommendation of a majority of the legislative delegation of Oconee County and whose terms of office shall be for two years or until their successors are appointed and qualify.

The Auditor of Oconee County shall be ex officio member of the board and shall serve as chairman. The members of the board shall

receive such compensation as is appropriated therefor in the annual Oconee County Supply Act.”

SECTION 3. Section 3 of Act 873 of 1958, amended—duties of auditor—board may employ personnel and others.—Section 3 of Act No. 873 of 1958 is amended to read as follows:

“Section 3. The Auditor of Oconee County shall have the following duties: he shall be the chief assessor of the board and shall participate in the final determination of all assessments in the county. He shall have the duty of instructing the members of the board in their duties relative to the assessment and equalization of property. The board may employ such additional persons to assist it in such instruction as may be authorized by a majority of the Oconee County Delegation. The board may employ such persons, firms or corporations as may be necessary to assist in assessment and equalization, including the mapping of the county, but only upon the approval of a majority of the legislative delegation, and the costs of such assistance shall be paid from the general fund of the county.”

SECTION 4. Section 4 of Act 873 of 1958, amended—board of tax appeals created—members—terms—auditor to be chairman—terms of present members—duties—meetings.—Section 4 of Act No. 873 of 1958 is amended to read as follows:

“Section 4. There is hereby created in Oconee County a board of tax appeals which shall consist of seven members, six of which shall be appointed by the Governor, upon the recommendation of a majority of the legislative delegation of Oconee County for terms of four years and until their successors are appointed and qualify, and the seventh member shall be the Auditor of Oconee County, who shall serve ex officio and shall act as chairman of the board. The present appointed members shall continue in office until July 1, 1962 or until their successors are appointed and qualify. Unexpired terms shall be filled in the same manner. The board of tax appeals shall perform all the duties necessary to insure true returns and equitable valuation and assessment. Special meetings of the board may be called by the auditor. The members of the board shall receive compensation as shall be provided for in the annual supply act of Oconee County.”

SECTION 5. Section 5 of Act 873 of 1958, amended—auditor to send notices concerning increased assessments and unreturned

property.—Section 5 of Act No. 873 of 1958 is amended to read as follows:

“Section 5. Notwithstanding the provisions of Section 65-1853, Code of Laws of South Carolina, 1952, whenever the valuation and assessment of any property in Oconee County is fixed by the Oconee County Board of Assessors and Equalization at a sum greater by one hundred dollars or more than the amount returned by the owner or his agent or whenever any real property is valued and assessed for taxation which has not been previously returned or assessed the county auditor shall, on or before the fourth Monday in April, give to the owner or his agent of such property written notice thereof. Such notice may be served upon such owner or his agent personally or by mailing it to such person or his agent at his last known place of residence and such owner or his agent, if he objects to such valuation and assessment, may appeal to the county board of tax appeals and such appeal shall be heard by such county board.”

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R474, H1676)

No. 275

An Act To Amend Act No. 775 Of The Acts Of 1958, Prohibiting Motor Vehicular Traffic In Certain Areas Of Hilton Head Beach, So As To Further Define The Area In Which Traffic Is Prohibited; And To Permit The Erection Of Barricades To Mark The Safety Zones.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item (2) of Section 1 of Act 775 of 1958, amended—motor vehicles prohibited at Hilton Head Beach.—Item (2) of Section 1 of Act No. 775 of the Acts of 1958 is amended to read as follows:

“(2) All that portion of the strand within six hundred feet northward and one and one-half miles southward of the intersection of Alder Street therewith.”

SECTION 2. Act 775 of 1958 amended—Section 1A added—barricades authorized for safety zones.—Act No. 775 of the Acts of 1958 is amended by adding the following new section immediately after Section 1, to read as follows:

“Section 1A. The erection of barricades to mark the safety zones described in Section 1 is authorized.”

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R475, H1743)

No. 276

An Act To Amend Act No. 326 Of The Acts Of 1957, Relating To Speed Limits For Motor Vehicles On Hilton Head Beach In Beaufort County, So As to Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 326 of 1957, amended—speed limits for motor vehicles at Hilton Head Beach.—Section 1 of Act No. 326 of the Acts of 1957 is amended to read as follows:

“Section 1. It shall be unlawful to operate any motor vehicles in excess of twenty miles per hour from April first through September thirtieth, and in excess of thirty-five miles per hour from October first through March thirty-first on Hilton Head Beach in Beaufort County.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R476, H1788)

No. 277

An Act To Require The Clerk Of Court Of Chester County, Notwithstanding Section 38-61, Code Of Laws Of South Carolina, 1952, To Issue His Venire Facias For Petit Jurors Summoned To Attend The Court Of General Sessions, Requiring Their Attendance On The Second Day Of The Week For Which They Have Been Drawn.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chester County—petit jurors for general sessions to be summoned on Tuesdays.—Notwithstanding Section 38-61, Code of Laws of South Carolina, 1952, the Clerk of Court of Chester County shall issue his venire facias for such petit jurors summoned to attend the Court of General Sessions for Chester County, requiring their attendance on the second day of the week for which they have been drawn.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R478, H1816)

No. 278

An Act To Amend Section 21-3912, Code Of Laws Of South Carolina, 1952, Relating To The Boundaries Of School District No. 1 In Richland County, So As To Delete That Portion Which Restricts The District From Crossing Or Cutting Into The City Of Columbia.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-3912, 1952 Code, amended—Richland County—boundaries of school district may be changed.—Section 21-3912, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 21-3912. The boundaries of School District No. 1 of Richland County may be changed and territory adjacent to said school

district may become a part of said school district upon the approval of the board of school commissioners of said school district and the county board of education and by a majority vote of the electors of the territory desiring to be annexed to said district voting at an election to be called and held by the trustees of the school district embracing the territory desiring to be annexed to said School District No. 1. The district so formed shall be under the sole jurisdiction of the board of school commissioners of School District No. 1 of Richland County and subject to all the rules, regulations, and requirements of said board. Said School District No. 1 may, in like manner, be reduced in area. Any election for the increase or decrease of the boundaries of said school district shall be conducted in the same manner and under the same rules as provided in Sections 21-974 and 21-975."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R481, H1411)

No. 279

An Act To Provide For The Creation Of Rocky Creek Watershed Conservation District In Chester County; To Provide For Its Governing Board And Its Powers And Duties; To Provide Funds And Services Sufficient For The Administration, Operation And Maintenance Of Works Of Improvement Within The District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Due notice defined.—As used in this act, "due notice" shall mean notice published at least twice with an interval of at least one week between the two publication dates, in a publication of general circulation within the appropriate area or, if no such publication of general circulation be available, notice posted at a reasonable number of conspicuous places in the appropriate area. This posting shall be posted at public places where it is customary to post notices concerning county or municipal affairs generally.

SECTION 2. Rocky Creek Watershed Conservation District may be formed in Chester County.—Authority is hereby granted to form the Rocky Creek Watershed Conservation District in Chester County for the purpose of developing and executing plans and programs relating to any phase of conservation, development and disposal of water, water usage, flood prevention, flood control, erosion prevention and control of erosion, floodwater and sediment damages.

SECTION 3. Area.—The area embraced in the district must be contiguous and lie within the watershed of Rocky Creek and shall embrace only land lying in Chester County. The area shall not include any lands within the corporate limits of any municipality or within the boundaries of the Great Falls Public Service District, or within the plant area of any manufacturing establishment.

SECTION 4. Petition.—When twenty-five or more freeholders within the Rocky Creek watershed desire to form a watershed conservation district, they shall file a petition with the board of supervisors of the Chester Soil Conservation District. The petition shall define the boundaries of the proposed district, the number of acres of land involved, reasons for requesting creation of such district and other information pertinent to such proposal.

SECTION 5. Hearing.—(a) Within thirty days after such petition has been filed with the board of supervisors, it shall cause due notice to be given of a hearing upon the practicability and feasibility of creating such watershed conservation district. All interested parties shall have the right to attend such hearing and be heard. If it shall appear at the hearing that other lands should be included or that lands included in the petition should be excluded, the board of supervisors may permit such inclusion or exclusion, provided the land area involved still meets the requirements of Section 3 of this act.

(b) If it appears at the hearing that it may be desirable to include within the proposed district, territory outside of the area within which due notice of the hearing has not been given, the hearing shall be adjourned and due notice of a further hearing shall be given throughout the entire area to be considered for inclusion in the district and a further hearing shall be held. After final hearing, if the board of supervisors determines, upon the facts presented at the hearing and upon other available information, that there is need, in the interest of the public health, safety and welfare for such a district in the territory

considered, it shall make and record the determination and shall define, by metes and bounds or by legal subdivisions, the boundaries of the district.

(c) If the board determines after the hearing that it is not feasible for such district to function in the territory considered, it shall make and record the determination and shall deny the petition.

SECTION 6. Referendum.—After the board of supervisors has determined that there is need, in the interest of the public health, safety, and welfare, for creation of the proposed watershed conservation district, it shall consider the question whether the operation of a district within the proposed boundaries with the power conferred upon such district in Sections 11 and 12 of this act is administratively practicable and feasible. To assist the board of supervisors in this determination the Chester County Election Commission shall, within a reasonable time after entry of the finding that there is need for the organization of the district and the determination of the boundaries of the district, hold a referendum within the proposed district upon the proposition of the creation of the district. Due notice of the referendum shall be given. Such notice shall state the date of holding the referendum, the hours of opening and closing the polls, and shall designate one or more places within the proposed district as polling places. The Chester County Election Commission shall have full charge of the election and shall have suitable ballots printed and furnished to each voting place; appoint necessary box managers and other election officials; shall canvass the election and announce the results. The cost of holding the referendum shall be paid from the general fund of Chester County.

SECTION 7. Question.—The question to be voted on shall be submitted by ballots upon which appear the words:

“For the creation of the Rocky Creek Watershed Conservation District ☐

“Against creation of the Rocky Creek Watershed Conservation District ☐

The ballot shall contain a direction to insert an “X” mark in the square following one or the other of the propositions. The ballot shall set forth the boundaries of the proposed district as determined by the board of supervisors. Only freeholders within the boundaries of the territory, as determined by the election commission shall be eligible to vote in the referendum. Qualified voters may vote by absentee

ballot in such referendum under rules and regulations prescribed by the election commission.

SECTION 8. Results—district to be created if results and determinations favorable.—The votes shall be counted by the election officers at the close of the polls and a report of the results along with the ballots shall be delivered and certified to the board of supervisors. If a majority of the votes cast favor creation of the district, the board of supervisors may certify to the Clerk of Court of Chester County such results of the ballot, together with the determination by the board of supervisors that the operation of the district is administratively practicable and feasible as contemplated in Section 6. Upon proper recording of such action in the office of the clerk of court, the watershed conservation district shall be duly created. After recording, the certification shall be filed with the State Soil Conservation Committee.

SECTION 9. Board of directors to govern district—members—election—terms—officers—bond of treasurer—nominating petitions.—(a) Within thirty days after the watershed conservation district is created, the board of supervisors shall cause an election to be held therein, for the election of a board of directors, consisting of five members, who shall hold office for a term of four years. The board of directors shall, under the supervision of the board of supervisors, be the governing body of the watershed conservation district.

(b) The board of directors shall, annually, elect from its membership a chairman, secretary and treasurer. The treasurer shall execute an official bond for the faithful performance of the duties of his office to be approved by the board of directors. The bond shall be by a surety company authorized to do business in this State, and shall be in an amount determined by the board of directors. The premium on the bond shall be paid with funds of the district.

(c) Each person desiring to be a director of a watershed conservation district shall file a nominating petition with the board of soil conservation district supervisors, signed by twenty-five or more freeholders within the watershed conservation district. If the candidates nominated do not exceed the positions available they shall be declared elected. No person shall be eligible to be a director of a watershed conservation district who is not a freeholder in the district in which he seeks election.

SECTION 10. Compensation of members.—Members of the board of directors shall receive no salaries, but such members may be reimbursed for actual and necessary expenditures incurred in the performance of their duties as approved by the legislative delegation and the board of supervisors.

SECTION 11. Powers and duties.—Subject to the approval of the board of supervisors and the legislative delegation, the board of directors of the watershed conservation district shall have full authority to:

(a) Acquire, by purchase, exchange, lease, gift, grant, bequest, devise or otherwise, any property, real or personal, or rights or interest therein; to maintain, administer and improve any properties acquired, receive income from such properties and expend such income in carrying out the purposes and provisions of this act; and sell, lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and provisions of this act; *provided*, however, the board of directors shall not have power of condemnation.

(b) Construct, improve, operate, maintain and inspect such structures as may be necessary for the performance of any function authorized by this act.

SECTION 12. Further.—Subject to the approval of the legislative delegation, the board of directors of the watershed conservation district shall have full authority to:

(a) Use the Chester County Attorney or other county legal assistance in connection with obtaining needed easements and rights-of-way for the construction of works of improvement in the Rocky Creek Watershed.

(b) Use available county equipment, labor and materials for the purpose of assisting with the operation, maintenance or repair of works of improvement after their installation.

(c) Use available county secretarial or other help in the administration of contracts for the installation of works of improvement.

SECTION 13. Budget — appropriations — disbursements.—Within the first quarter of each calendar year, the board of directors shall prepare an itemized budget of the funds needed for the administration of contracts, obtaining needed easements and rights-of-way, operation, maintenance or repairing of works of improvement. After approval of such budget by the legislative delegation and the board

of Soil Conservation District Supervisors, the legislative delegation shall appropriate sufficient funds to meet such budget not to exceed two thousand dollars. The Treasurer of Chester County shall, upon proper warrants of the directors, disburse, in accordance with this act, the funds made available to the watershed conservation district.

SECTION 14. Petition for discontinuance of district—hearing—referendum—discontinuance if election and determination favorable.—(a) At any time, after five years from the organization of the watershed conservation district, twenty-five or more freeholders within the district, or, if less than fifty freeholders are involved, a majority of the freeholders in such district, may file a petition with the board of supervisors, praying that the existence of the district be discontinued. The petition shall state the reasons for discontinuance, and that all obligations of the district have been met.

(b) After due notice the board of supervisors may conduct such hearings on the petition as may be necessary to assist it in making a determination.

(c) Within sixty days after the petition is filed, a referendum shall be held under the supervision of the board of supervisors. The referendum shall be held as provided in Sections 6, 7 and 8 of this act. No informalities in the conduct of the referendum or in any matters relating to the referendum shall invalidate it or its results if due notice of the referendum has been given substantially as provided by subsection (b) of this section.

(d) If a majority of the votes cast in such referendum favor the discontinuance of the district, and it is found that all the obligations have been met, the board of supervisors shall make a determination that the watershed conservation district shall be discontinued. A copy of the determination shall be certified to the clerk of court for recording. After recording, the certification shall be filed with the State Soil Conservation Committee.

SECTION 15. Supervisory authority over Rocky Creek Watershed Conservation District.—The Chester Soil Conservation District shall have supervisory authority over the Rocky Creek Watershed Conservation District. If the soil conservation district is discontinued, the governing body of Chester County shall serve in the same supervisory capacity over the watershed conservation district as the Board of Soil Conservation District Supervisors.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R482, H1530)

No. 280

An Act To Amend Section 27-88, Code Of Laws Of South Carolina, 1952, Relating To The Minimum Fee For Filing Or Recording Documents In The Office Of The Clerk Of Court For Marion County, So As To Make Further Provisions For The Filing And Recordation Of Certain Documents In Such Office.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 27-88, 1952 Code, amended—Marion County—clerk of court fees.—Section 27-88, Code of Laws of South Carolina, 1952, is amended to read as follows:

“Section 27-88. The Clerk of Court for Marion County shall charge the following fees provided that if the charge for any service is not set forth in this section then such charge shall be as provided by general law: (a) for recording deeds of real estate in usual form, one dollar and fifty cents; (b) for recording deeds of real estate not in usual form, two dollars; (c) for recording deeds of real estate in usual form executed by or to a corporation, two dollars; (d) for recording any typewritten deed, one dollar per page; (e) for recording any deed in excess of three pages, an additional fee of one dollar per page; (f) for recording real estate mortgages in usual form, two dollars; (g) for recording real estate mortgages not in usual form, three dollars; (h) for recording real estate mortgages in usual form executed by or to a corporation, two dollars and fifty cents; (i) for recording real estate mortgages not in usual form by or to a corporation, not more than two dollars per page; (j) for recording corporate charters, two dollars; (k) for recording amendments to corporate charters, two dollars; (l) for recording chattel mortgages, one dollar; (m) for recording chattel mortgages when a copy of the mortgage is furnished, seventy-five cents; (n) for recording miscellaneous papers not otherwise provided for, one dollar per page; (o) for the filing of

the initial pleading in any civil action, five dollars; (p) for the filing of a judgment requiring matters to be recorded in the journal, five dollars; and (q) for entering any judgment in the journal book in excess of ten recorded pages, one dollar per page."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R486, H1625)

No. 281

An Act To Provide That The School Board Of Trustees In Edgefield County Shall Prepare And Submit, To The Legislative Delegation For Their Approval, An Annual Budget For The Operation Of The Schools In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Edgefield County—school trustees to submit budget.—Before the first day of June each year the School Board of Trustees of Edgefield County shall prepare and submit to the Edgefield County Legislative Delegation, a budget for the operation of the schools of the County for the next year beginning July 1st.

SECTION 2. Proposed expenditures to be itemized.—Said budget shall set out in detail all items for which funds are proposed, to be spent with the amount opposite each item.

SECTION 3. Checks to show what payment is for.—Each check or claim in payment of any item or any part thereof, shall state on its face what item it is in payment of and to whom it is payable.

SECTION 4. Legislative Delegation to approve budget.—Before said budget shall become effective or any funds expended thereunder, said budget shall be approved by the County Legislative Delegation.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R487, H1688)

No. 282

An Act To Provide Interest On Delinquent Taxes After Executions Have Been Issued In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Interest to be charged on delinquent taxes in Spartanburg County.—Commencing on July 1, 1959, and after the Treasurer of Spartanburg County has issued his tax execution for delinquent taxes, assessments and penalties against the property of a defaulting taxpayer, compound interest of one-half of one per cent on the amount of the execution shall be charged for each month or fraction of a month that such execution is unsatisfied. *Provided*, that six per cent interest shall be added to accumulative delinquent taxes for the years prior to July 1, 1959 for which tax executions have been issued.

SECTION 2. Disposition of proceeds.—The Tax Collector of Spartanburg County shall turn over all such interest collected by him to the Treasurer of Spartanburg County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R488, H1745)

No. 283

An Act To Further Provide For The Recording Of Legal Instruments In The Office Of The Clerk Of Court And The Office Of The Probate Court For Chester County And To Provide A Penalty For Violation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Chester County—instruments for recordation to show who prepared them—not to affect validity.—It shall be unlawful for the clerk of court or any employee in the office of the Clerk of Court of Chester County and the probate judge or any employee in the office of the Probate Court of Chester County to record any document or legal instrument in the office of the Clerk of Court or in the office of the Probate Court of Chester County unless there shall be legibly written or stamped on the face of any instrument or document offered for registration or recording the name of the person preparing such instrument or document; *provided*, however, where a lender prepares a mortgage of real or personal property or both securing a loan made by the lender, the name and address of the lender may be permanently displayed on the mortgage; *provided*, further, that the failure to write or stamp on any document or legal instrument the name and address of the person preparing the same shall not affect the validity of the document or legal instrument or the notice given by the recordation thereof.

SECTION 2. Not to apply to certain instruments.—This act shall not apply to any instrument or document prepared and dated prior to the effective date of this act and this act shall not apply to any instrument or document prepared, executed and probated outside of Chester County for filing for record in Chester County.

SECTION 3. Penalties.—Any person violating the provisions of this act, upon conviction, shall be fined not more than one hundred dollars or be imprisoned not exceeding thirty days.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R490, H1500)

No. 284**An Act To Create The Darlington County Advisory Fish And Game Commission And To Prescribe Its Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington County Advisory Fish and Game Commission—members — terms — vacancies — officers — meetings.

—There is hereby created the Darlington County Advisory Fish and Game Commission to be composed of seven members who shall be appointed by a majority of the Darlington County Legislative Delegation. The members of the commission shall be qualified electors of Darlington County and not more than one commissioner shall be appointed from any one township. The terms of the commissioners shall be for three years and until their successors are elected and qualify, except that of the members first appointed two shall serve for a term of one year, two for a term of two years and three for a term of three years. Any vacancy shall be filled in the manner of the original appointment. The commission shall organize by electing one of its members chairman and one of its members secretary, and the commissioners shall meet at such time and place as may be designated by the chairman.

SECTION 2. Powers and duties.—The commission shall make studies and recommendations to The South Carolina Wildlife Resources Department pertaining to the supervision of fish and game in Darlington County, except Prestwood Lake. It shall cooperate with the Division of Game of the South Carolina Wildlife Resources Department in supervising the opening and closing of all fish and game seasons in Darlington County and regulations in connection therewith and control thereof, insofar as consistent with the statutory laws of the State. The commission shall advise and confer with the county legislative delegation and shall recommend such changes as appear to be necessary in the fish and game laws.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R492, H1742)

No. 285**An Act To Exempt Property Of The Lamar Masonic Lodge In The Town Of Lamar, County Of Darlington, From All County And Municipal Taxes.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Property of Lamar Masonic Lodge exempt from taxes.—The property of the Lamar Masonic Lodge in the Town of Lamar, County of Darlington, is exempted from all county and municipal taxes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R496, H1812)

No. 286**An Act To Authorize The Board Of Directors Of York County To Enter Into Agreements With Property Owners For Reimbursement Of Expenditures Made For Improvements To Certain Roads.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County may make reimbursement agreements with property owners for road improvements—conditions.—The Board of Directors of York County is hereby authorized and empowered to enter into agreements with property owners of York County whereby the county will reimburse property owners for certain expenditures for road improvements subject to the following conditions:

(1) The erection of improvements upon the property abutting new roads shall have an assessed value of twelve thousand dollars per mile. All such improvements shall be uniformly distributed and compliance with these requirements shall be certified by the county board of tax assessors.

(2) All such road improvements shall be made under the supervision of a qualified engineer to be selected by the county super-

visor by and with the consent of the County Legislative Delegation and in accordance with plans and specifications approved by him. Compliance with this requirement shall be certified to the Board of Directors by the engineer.

(3) The property owner shall deliver to the Board of Directors a deed conveying to York County a right of way for the road so improved.

SECTION 2. Agreements to contain certain provisions.—All such agreements shall contain the following provisions:

(1) The length of road to be improved and construction specifications which shall conform to the standards of the South Carolina Highway Department;

(2) The total amount to be reimbursed and the unit costs;

(3) The value of improvements to be placed upon abutting property in order to qualify for reimbursement; and

(4) The earliest date on which reimbursement may be claimed.

SECTION 3. Reimbursements — approval of.—Reimbursements under such agreements shall be made only from such funds as may be appropriated for road improvements, but no such agreements shall be executed by the Board of Directors unless such agreements have first been approved by the engineer as to plans and specifications for the type of construction, safety features and adequacy of right of way and shall have been submitted to the County Legislative Delegation for advice as to the availability of funds for reimbursement and approval of the date specified for earliest improvements.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

An Act To Provide A Schedule Of Fees To Be Collected By The Sheriff And Police Officers Of Horry County To Provide For The Disposition Of Such Fees, And To Provide A Penalty For Failure To Comply Therewith.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fees to be charged in Horry County.—In Horry County the Sheriff, Sheriff's Deputy and members of the Horry County Police shall charge and collect the following fees and commissions which shall be turned over to the County Treasurer who shall deposit such monies to the general fund of Horry County :

(1) There shall be no charge for entering a writ, summons, process, execution or other paper in the writ or execution book, nor shall there be a charge for an officer making an endorsement thereon ;

(2) For serving a writ, summons, notice or rule, not otherwise herein mentioned, one dollar, and mileage ;

(2A) In lieu of mileage, there shall be collected the sum of one dollar which shall be added to the cost of any civil process and collected in advance ;

(3) For serving a civil subpoena writ, one dollar ; there shall be no charge for mileage for the service of a civil subpoena writ, as herein provided ;

(4) For each execution returned to the clerk's office on schedule, twenty-five cents ;

(5) For levying an execution or attachment, one dollar ;

(6) As commissions on all monies collected by such officer, if under three hundred dollars, two per cent, and if over that sum, two per cent on the first three hundred dollars and one per cent on the balance, and one-half of one per cent on all sums paid to a plaintiff, his agent or attorney, on execution lodged with such officer ;

(7) On execution lodged to bind with order not to levy, fifty cents ;

(8) For advertising a defendant's property, in addition to the printer's bill, one dollar ;

(9) For drawing and executing a deed of conveyance or taking a mortgage, two dollars ;

(10) For drawing and executing each bill of sale when required by a purchaser, two dollars ; but no person shall be charged more than one bill of sale for property bought at the same sale by the same party ;

(11) For executing a writ of habere facias possessionem, one dollar ;

(12) For transferring money, bonds or other securities for money to a party, one-half of one per cent ;

(13) For selling land under a decree of court, in lieu of commissions and all other charges, except for advertising, two dollars;

(14) For every fine paid before levy, fifty cents;

(15) For every fine paid after levy and before sale, one dollar; and

(16) For serving bad check notices or warrants, one dollar and one dollar in lieu of mileage.

For the service of any civil processes not designated by this act or otherwise expressly provided for, the general law shall govern the amount to be collected for the service of any such processes. A charge of one dollar shall be made for mileage where mileage is provided for.

No summons or any other processes in civil matters shall be served by any such officer until the fee and mileage charge of one dollar have been paid to him.

The treasurer of Horry County shall issue triplicate receipt books to such officers who shall issue original receipts for all fees so collected, retaining the duplicate. On the tenth day of each month all such officers shall remit all fees so collected by them and surrender all used duplicate receipts for the previous calendar month and the treasurer shall issue suitable receipts to all such officers upon their remittance to him.

SECTION 2. Failure to comply grounds for removal from office.—Any such officer who fails to fully comply with these requirements shall be removed from office upon proper showing before the appropriate authority.

SECTION 3. Not to apply to policeman assigned to Conway Magistrate's office.—Notwithstanding the provisions of this act, the county policeman assigned to the Conway Magistrate's office shall be allowed to retain his fees and commissions provided that all such fees and commissions shall be charged for services of processes under the jurisdiction of the Conway Magistrate's office.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R504, H1791)

No. 288**An Act To Further Provide For The County Salary Supplement For Classroom Teachers In Union County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Union County may change teachers' supplements.—The Union County Legislative Delegation may by unanimous delegation order, authorize and direct the county board of education to increase or decrease the county salary supplement for classroom teachers to whatever per cent of State aid for teachers' salaries that the Union County Legislative Delegation deems feasible on the basis of available revenue.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R505, H1664)

No. 289**An Act To Amend Act No. 725 Of The Acts Of 1954, As Amended, Relating To Recording Certain Instruments, Transferring Certain Real Property In Sumter County, So As To Increase The Fee And To Provide For Additional Filing.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 725 of 1954, further amended—fee for recording certain instruments in Sumter County.—Section 1 of Act No. 725 of the Acts of 1954, as amended, is further amended to read as follows:

"Section 1. Any estate listed in the office of the Probate Judge for Sumter County, wherein real estate is transferred, shall be charged a fee of two dollars for the probate judge to make a description thereof and to file the same with the auditor and clerk of court for recordation in the clerk's office. One dollar and twenty-five cents of this fee shall go to the credit of the probate judge and seventy-five cents to the clerk of court."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R506, H1750)

No. 290

An Act To Provide For Holding A Referendum In School District No. 51 In Greenwood County To Determine Whether Or Not The School Trustees Shall Be Appointed Or Elected, And To Authorize Elections In The Event That Such Is Desired By A Majority Of The Qualified Electors Concerned.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood School District 51 to have referendum concerning election or appointment of trustees—conduct of.—The Board of Education of Greenwood County shall hold a referendum in School District No. 51, which is composed of areas of Abbeville, Greenwood and Laurens County, on the fourth Tuesday in June of 1959 to determine whether or not the qualified electors of the district desire that the school trustees continue to be appointed by the Board of Education of Greenwood County or whether they shall be elected by a majority of the qualified electors of the district voting in the election. The board of education shall advertise the election in a newspaper having general circulation in the three counties at least twenty days prior to the holding of the election, and shall also post the same notice in at least three prominent places within the school district, such posting to be at least twenty days prior to the election. The notice shall contain the date and time of the election and the voting places and shall have printed thereon the questions to be presented at the election. The board of education shall appoint box managers and such other officials as may be necessary, and shall have a sufficient number of ballots printed and distributed at the various voting places throughout the district, which ballots shall contain the following questions:

“Do you favor continuing the present system of having school trustees appointed by the Board of Education of Greenwood County?

Yes ☐

No ☐

“Do you favor having the board of trustees elected by the qualified electors of the district?

Yes ☐

No ☐

The board shall count the ballots and publish the results of the referendum in the same manner as the results of other referendums or elections are published.

SECTION 2. Expenses.—The box managers and other officials shall be paid the same rate as allowed for similar officials in general elections, which expenses along with other expenses of the referendum shall be paid from the funds of School District No. 51.

SECTION 3. Only residents of School District 51 to vote—election of trustees if majority vote for elections.—Voting in the referendum and other elections authorized by this act shall be confined to qualified electors residing within the boundaries of School District No. 51. In the event that a majority of the qualified electors voting in the referendum shall decide that the trustees shall henceforth be elected by the qualified electors of the district, the board of education is hereby authorized and directed to hold the necessary elections to fill vacancies as they occur, such elections to be held at least thirty days prior to any vacancy. Such elections shall be advertised and held in the same manner as provided for in Section 1 of this act and the expenses shall be paid for in the same manner.

SECTION 4. Candidates for election.—In the event that the trustees are to be elected, candidates shall file and qualify with the board of education under such terms and conditions as may be prescribed by the board.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R507, H1755)

No. 291**An Act Providing For Recordation Fees For Mortgages In Greenville County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Fees for recording mortgages in Greenville County.—Notwithstanding any other provision of law in Greenville County the register of mesne conveyance shall be entitled to the following fees: Chattel mortgages under one hundred dollars, seventy-five cents; Chattel mortgages over one hundred dollars, one dollar and twenty-five cents; Real estate mortgages, one dollar for the first page and fifty cents for each additional page or fraction thereof.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R509, H1762)

No. 292**An Act To Authorize The Finance Board Of Greenwood County To Enter Into Agreements With Property Owners For Reimbursement Of Expenditures Made For Improvements To Certain Roads.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may make reimbursement agreements with property owners for road improvements—conditions.—The Finance Board of Greenwood County is hereby authorized and empowered to enter into agreements with property owners of Greenwood County whereby the county will reimburse property owners for certain expenditures for road improvements subject to the following conditions:

(1) Improvements shall be erected upon the property abutting the new roads of a minimum market value of one hundred twenty-five thousand dollars per mile and a minimum assessed value of ten thousand dollars per mile, and all such improvements shall be uniformly

distributed along the new roads. Compliance with these requirements shall be certified by the county board of tax assessors.

(2) Such road improvements shall be made under the supervision of the county engineer and in accordance with plans and specifications approved by him. Compliance with this requirement shall be certified by the county engineer.

(3) A deed shall be delivered to the Finance Board conveying to Greenwood County a right-of-way for the roads so improved.

SECTION 2. Agreements to contain certain provisions.—All such agreements shall contain the following provisions:

- (1) The length of road to be improved;
- (2) The construction specifications which shall generally conform to the standards of the South Carolina Highway Department for farm-to-market roads;
- (3) The total amount to be reimbursed and the unit costs;
- (4) The value of improvements to be placed upon abutting property in order to qualify for reimbursement; and
- (5) The earliest date on which reimbursement may be claimed.

SECTION 3. Approval required.—No such agreements shall be executed by the Finance Board unless such agreements have first been approved by the county engineer as to plans and specifications for the type of construction, safety features, and adequacy of right-of-way and shall have been submitted to the County Legislative Delegation for advice as to the availability of funds for reimbursement and approval of the date specified for earliest reimbursement.

SECTION 4. Funds.—Reimbursements under such agreements shall be made only from such funds as may be appropriated for road improvements.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R511, H1787)

No. 293**An Act To Provide For The Greenwood County Planning Board And To Provide For Its Membership, Its Powers And Duties.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County may appoint a planning board —members — terms — chairman — vacancies — removals.—

The County Supervisor of Greenwood County may, with the approval of the majority of the members of the legislative delegation, appoint a county planning board. The board shall consist of nine appointive members. The county supervisor shall be an ex officio member of the board and shall vote only in case of a tie vote. The term of the county supervisor shall correspond to his official tenure. The term of each appointive member shall be four years; *provided*, that, in the initial appointments to the board five members shall be appointed for two years and the remaining members for four years. The board shall designate one of its members as chairman, whose term shall be for one year with eligibility for reappointment. A vacancy in the membership of the board due to death, resignation, removal, or other cause, shall be filled as the original appointment for the unexpired portion of the term. Any member of the board shall be subject to removal by the county supervisor and a majority of the legislative delegation for cause, and any order for removal shall state in writing the cause therefor. All members of the board shall serve as such without compensation.

SECTION 2. Adopt rules—records to be public—employees—expenditures — office — aid from other departments.—

The board shall adopt its own rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. The board, with the approval of the county supervisor, may appoint such employees as it may deem necessary for its work, whose appointment, promotion, demotion, and removal shall be subject to the same provisions of the law as govern other employees of the county. The board, with the approval of the county supervisor, may also contract with planners and other consultants or assistants for such services as it may require. All expenditures of the board, exclusive of gifts or other aid, shall be within the amounts appropriated

for the purpose by the county governing body. The board shall be supplied with necessary office space in the county courthouse or other suitable quarters and with the necessary equipment. Upon request of the board, the county supervisor may from time to time, for the purpose of special surveys under the direction of the board, assign or detail to the board, members of the staff or personnel of any county administrative department, bureau or agency, or may direct any such department, bureau or agency to make special surveys or studies for the board.

SECTION 3. Powers and duties—official county plan for development.—(a) The board may prepare and adopt an official plan for the physical development for all or part of the unincorporated territory of the county. Such an official plan with the accompanying maps, plans, and charts and descriptive matter shall show the county planning board's determinations for the development for all or any part of the county and may include, among other things, the general location, character and extent of highways, roads, streets, grade separations, bridges, public schools, public institutions, water conservation and flood prevention projects, water supply, sanitary and drainage facilities, water front developments, land conservation project, forests, reservations, parks, parkways, playgrounds, airports and other public ways, grounds, buildings, structures, utilities, facilities, and other features of public works which are logically related to, or form an integral part of a long term coordinated plan for the orderly and economic physical development of the county.

(b) The board shall have the authority:

(1) To promote public interest and understanding of the economic and social necessity for long term, coordinated county planning.

(2) To confer and cooperate with the federal, State, municipal and other county and regional authorities regarding matters pertaining to, or affecting the planning or development of Greenwood County, or vice versa, for the purpose of assuring proper coordination of county development with that of other political subdivisions; and

(3) To prepare and keep up to date a long term coordinated program of public works and budgets therefor, and to that end the various officials, departments and agencies of the county shall cooperate with the board.

(c) All public officials, departments, and agencies shall upon request furnish the board, within a reasonable time, with such available information as it may require for its work. The board, its members,

officers, and employees, in the performance of their functions, may enter upon any land and make necessary examinations and surveys. In general, the board shall have such powers as may be appropriate to enable it to fulfill its functions and duties to promote county planning and to carry out the purpose of this act.

(d) The board shall have authority to make studies and prepare plans covering land use of all lands within the whole or any part of the unincorporated areas of the county.

The board may prepare or cause to be prepared a plat dividing such unincorporated area or parts of areas into zones and may determine the use of land and character of the buildings located thereon, and, upon the adoption of the plat and regulations by a majority of the board, the same shall be certified to the clerk of court of the county, on which certification a public hearing shall be held within forty-five days from the receipt of such certification, notice of such hearing to be published in a newspaper having general circulation in the county one day each week for four weeks. If after such public hearing the board determines that such determinations are still desirable and that their adoption will tend to promote the public health, safety, morals and general welfare and encourage the use of the lands in accordance with their character and adaptability and will limit the improper use of such lands, then the board shall by order approve such recommendation, plan and supporting maps or any portion thereof, and thereafter all properties within the zones as set out in the order shall be subject to the uses set forth in the plans, maps and explanatory specifications which shall be filed for record in the office of the clerk of court of the county. Nothing herein contained, however, shall be construed to authorize the board to regulate the cost of buildings and structures.

The order shall include provisions for the enforcement of the zoning regulations.

(e) The owner of land may petition the board for any changes in zoning to reduce the restriction thereon, and it shall be the duty of the board to review such petition. On the last Monday in February, May, August, and November of each year the board shall hear the petitions for amendments thereon filed since the last hearing. A notice of the hearing shall be published not more than thirty days nor less than seven days preceding the date for the hearing in a newspaper of general circulation in the county. The board by order shall deny or approve the petitions and the order amending the plat,

maps, and specifications shall be filed with the clerk of court of the county.

(f) The board, by a majority vote, may reclassify or rezone any of the zoned areas or may classify or zone areas theretofore unzoned or classified and shall certify its determinations for public hearing thereon as provided in paragraph (d) above, and after such hearing, the board shall file its order thereon with the clerk of court of the county.

(g) The powers as outlined in this section, and specifically in paragraphs (d), (e) and (f), shall not be exercised so as to deprive the owner of the use of land or of any existing buildings for the purpose to which they are lawfully devoted at the time of the order of the board zoning or rezoning lands.

(h) It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any land, building or structure in violation of any order of the board.

For enforcement of its orders, the board shall certify any violation to the county attorney, and the county attorney shall, within five days thereafter, apply to the court of common pleas for an injunction, mandamus or other process to prevent, enjoin, abate or remove such unlawful use or erection.

Anyone aggrieved by the provisions of this subsection may appeal to the court of common pleas as is now provided by law for appeals from decisions of other administrative agencies.

SECTION 4. County plan—further.—The county plan shall be made with the general purpose of guiding and accomplishing a coordinated, efficient and economic development of the county which will, in accordance with present and future needs and resources, best promote the health, safety, comfort, convenience, prosperity and welfare of the people of Greenwood County. Such plan should make recommendations, among other things, as to the conservation of natural resources including land, water, and mineral; economic distribution of population; efficient transportation facilities; adequate educational and institutional facilities; and such other matters within the county as will tend to create conditions more favorable to economic security, with greater opportunities for recreational, educational and cultural advancement. Further, the official plan for the county or any part thereof, should be coordinated and integrated with the official State plan and other related regional, county and city plans in order to avoid inconvenience and economic waste and

assure a coordinated and harmonious development of the county, region and State.

SECTION 5. Adoption of plan—improvements, etc., to be submitted to board.—The board may adopt the official county plan as a whole, or, as the work of preparing the whole plan progresses, may from time to time adopt a part or parts thereof and any such part or parts may cover one or more of the functional subject matters to be included in the plan. The board may, from time to time, amend, extend, or add to the plan or carry any part of the plan into greater detail. The adoption of the plan or any part, amendment, extension, or addition shall be by resolution of the board, carried by the affirmative votes of not less than a majority of the entire membership of the board. The resolution shall refer expressly to the maps, plans, charts, and descriptive matter intended for adoption by the board which set forth the whole or part of the plan, and the action taken shall be recorded on the maps, plans, charts and descriptive matter by the identifying signature of the chairman of the board.

From and after the adoption by the county planning board of the official county plan, or any part thereof, no improvements shall be made or authorized and no property shall be acquired or its acquisition authorized by any county or public agency which has, or is likely to have, definite part in, or relation to, the official county plan unless the proposed location, character, and extent thereof shall have been submitted by the agency concerned to the board, and a report and recommendation of the board thereon shall have been received. It is further provided, however, that if the board fails to furnish in writing its report and recommendation upon a proposal within thirty days after the submission of such proposal to the board, such agency may proceed without such report and recommendation. In case any improvement, ground, building, structure or property be given a location or extent which does not accord with the report and recommendation of the board, the county official, department or any other public agency having charge of the location, authorization, acquisition, or construction of the same shall file in the office of the board a statement of its or his reasons for the departure from the report and recommendation, and the statement shall be open to public inspection. This section shall not apply, however, to improvements, grounds, buildings, structures, or properties which are under construction at the time of the effective date of this act or whose construction or acquisition shall have been fully

authorized and the location and extent determined previous to the effective date of this act.

SECTION 6. Upon adoption of official highway plan, board to control subdivision of land.—Whenever the board shall have adopted an official highway plan or part thereof and shall have filed a certified copy of such plan in the office of the clerk of court, the board shall have the same authority to control the subdivision of land in the unincorporated territory as is granted to municipalities by law; *provided*, however, that in unincorporated areas lying within five miles of the corporate limits of a municipality in which the authority to control the subdivisions of land is by laws vested in and is being exercised by a municipality, the municipal authority shall have jurisdiction but shall transmit copies of proposed plots for such areas to the county planning board for consideration and report, which report shall be made to such municipal authority within twenty days from the time it is received by the board, unless further time is allowed by the municipal authority. Before exercising the above authority, the board shall adopt and make available rules and regulations governing the subdivision of land.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R515, H1776)

No. 294

An Act To Create A Planning Board And A Board Of Adjustment For A Certain Portion Of Beaufort County; To Set Forth The Powers And Duties Of Such Boards; To Provide Penalties For Violations; And To Repeal Act No. 733 Of The Acts Of 1954, As Amended, Relating To The Planning Board For Beaufort Township In Beaufort County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Planning board created for portion of Beaufort County—members—terms—vacancies.—There is hereby created a

planning board for Beaufort and Sheldon Townships, and Lady's Island in St. Helena Township, in Beaufort County. The board shall consist of not less than five nor more than nine members to be appointed by the Governor, upon the recommendation of a majority of the county's legislative delegation, including the Senator. Each person appointed to the board shall hold office for a term of four years, and until his successor is appointed and qualifies. Any vacancy occurring on the board shall be filled for the unexpired portion of the term in the same manner as the original appointment.

SECTION 2. Officers — meetings — adopt rules — records to be public.—The board shall elect its chairman from among the appointed members and create and fill such other of its offices as it may determine. The term of office of the chairman shall be one year and the chairman shall be eligible for re-election. The board shall hold at least one regular meeting in each year. It shall adopt rules for the transaction of business and shall keep a record of its recommendations, transactions, findings and determinations. Such record shall be a public record.

SECTION 3. Employ personnel — request information from other agencies.—The Board of Directors of Beaufort County may employ the services of a competent expert in planning and zoning and such other employees as are necessary. The planning board may request all state officials, departments and agencies having information, maps and data pertinent to zoning and planning to make them available for the use of the planning board as well as to furnish such technical assistance and advice as they may have available for such purposes.

SECTION 3-A. Cooperate with other agencies.—The planning board may cooperate with the planning and zoning boards of other counties, cities, villages or other municipalities, either within or without the county, and with municipal and state authorities, with a view to coordinating and integrating the planning and zoning program and may appoint such committees and adopt such rules as may be thought proper to effect such cooperation.

SECTION 4. Municipalities may adopt planning board.—The governing body of any municipality within the jurisdiction of the board may designate the planning board as the official planning board of such municipality, and in the event of such designation

and acceptance thereof by the planning board and the County Board of Directors of Beaufort County, the planning board shall, within such municipality, have all the powers and duties provided by law for the municipal planning board. In the event no legislation has been enacted for the establishment of a planning board and defining its powers in such municipality, all the powers and duties outlined in this act shall be of force.

SECTION 5. Powers and duties of municipalities.—When a municipality shall have designated the planning board as the official planning board of such municipality, and such designation shall have been accepted, as provided for in this act, then the governing body of such municipality shall have the same powers and duties within the municipality with respect to the adoption and enforcement of all planning measures, subdivision regulations and other regulations, as are defined and outlined for the County Board of Directors of Beaufort County in this act.

SECTION 6. Powers of planning board.—In general the planning board shall have such powers as may be necessary to enable it to fulfill its functions, promote planning within its jurisdiction and to carry out the purposes of this act.

The planning board shall study the resources, possibilities and needs of the area within its jurisdiction and shall prepare a master plan and maps for the systematic future development of the area and from time to time in the manner herein provided make such recommendations to the County Board of Directors, the legislative delegation and other governmental agencies of the county as may be deemed advisable. Such plan, with the accompanying maps, plats, charts and descriptive matter shall show the board's recommendations for:

(1) The development and redevelopment of such territory, including the general location, character and extent of streets, viaducts, subways, bridges, waterways, waterfronts, boulevards, parkways, playgrounds, squares, parks, aviation fields and other public ways, grounds and open spaces, the general location of public buildings and other public property and the general location and extent of public utilities and terminals;

(2) The removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public ways, grounds, open spaces, buildings, property, utilities or terminals;

(3) A zoning plan for the control of the height, area, bulk, location, use and intensity of use of buildings, structures and premises and of population density;

(4) The general location, character, layout and extent of community centers and neighborhood units;

(5) The general character, extent and layout of the replanning of blighted districts and slum areas;

(6) Regulations governing the subdivision of land within its jurisdiction; and

(7) Building, plumbing and electrical codes.

The board may from time to time amend, extend or add to the master plan.

SECTION 7. Master plan—purpose.—In the preparation of such master plan, the planning board shall make or cause to be made careful and comprehensive surveys and studies of present conditions and trends of future growth of the area within its jurisdiction and shall also give due regard to the relation of the area to any neighboring territory. The plan shall be made and used for the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development or redevelopment of the area and its environs which will, in accordance with present and future needs, best promote the public health, safety, morals, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development or redevelopment, including adequate provision for traffic, the promotion of safety from fire or other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds and the adequate provision of public utilities and other public requirements.

SECTION 8. Public hearing to be held prior to adoption of plan.—Before the adoption of the plan or any such part, amendment, extension or addition the planning board shall hold at least one public hearing thereon, after not less than five days notice of the time and place of such hearing shall have been given by at least one publication in a newspaper having general circulation in the county.

SECTION 9. Manner for adoption of plan.—The adoption of the plan or of any part, amendment, extension or addition shall be by resolution of the planning board, carried by the affirmative votes of not less

than a majority of the entire membership of the planning board. The resolution shall refer expressly to the maps and other descriptive matter intended by the planning board to form the whole or part of the plan and the action as taken shall be recorded on the map and plan and descriptive matter by the identifying signature of the chairman and secretary of the board. An attested copy of the plan or part thereof as adopted and approved shall be certified to all legislative and administrative agencies affected by the plan.

SECTION 10. Further.—The board may adopt the plan as a whole by a single resolution or may by successive resolutions adopt parts of the plan, such parts corresponding with the major geographical sections or divisions of the area or with functional subdivisions of the subject matter of the plan, and may adopt any amendment or extension thereof or addition thereto.

SECTION 11. Plan to be published—attend planning conferences—consult with other agencies.—The board may promote public interest in an understanding of the plan and to that end may publish and distribute copies of the plan or of any report and may employ such other means of publicity and education as it may determine proper. Members of the board and any of its employees, when duly authorized by the board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation and the board may, by resolution, pay the reasonable traveling expenses incident to such attendance. The board shall, from time to time, recommend to the appropriate public officials, programs for public structures and improvements and for the financing thereof. It shall consult and advise with public officials and agencies, public utility companies, civic, educational, professional and other organizations and with citizens with relation to the projecting or carrying out of the plan.

SECTION 12. Improvements, etc., to be submitted to board if plan adopted—disapprovals by board—overruling of—failure of board to act deemed approval.—Whenever the board shall have adopted the master plan of a township or of one or more major sections or districts thereof, no new street or other public way, square, park, grounds or open space, public building, structure or utility, whether publicly or privately owned, shall be constructed or authorized in the township or in such planned section or district until the location, character and extent thereof shall have been submitted to and approved by the board.

In case of disapproval the planning board shall communicate its reasons to the County Board of Directors which shall have the power to overrule such disapproval by the recorded vote of not less than two-thirds of its entire membership. But if the public way, ground, space, building, structure or utility within such subdivision be one the authorization or financing of which does not, under the law, fall within the province of the subdivision, then the submission to the planning board shall be by the board, commission or body having such jurisdiction and the planning board's disapproval may be overruled by such board, commission or body by a vote of not less than two-thirds of its membership. The failure of the planning board to act within sixty days from and after the date of official submission to it shall be deemed approval.

SECTION 13. County officials to furnish information—authority to enter land.—All county officials shall, upon request, furnish to the board, within a reasonable time, such available information as it may require for its work. The board, its members, officers and employees, in the performance of their functions, may enter upon any land within its jurisdiction and make examinations and surveys and place and maintain necessary monuments and marks thereon.

SECTION 14. Expend funds—gifts and grants.—The planning board may expend such funds as may be appropriated to it in order to carry out the provisions of this act. The planning board, with the concurrence of the County Board of Directors, is authorized to accept and expend grants and gifts of money for the purposes of this act from either private or public sources, state or federal governments, and to contract with reference thereto.

SECTION 15. Powers and duties of County Board of Directors.—For the purpose of promoting health, safety, morals or the general welfare of the community, the County Board of Directors of Beaufort County may by ordinance or rules and regulations establish building, plumbing and electrical codes, regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structure and land for trade, industry, residence or other purposes. It shall not pass an ordinance regulating the thickness of walls of buildings which conflicts with the laws of the State.

SECTION 16. Further—make regulations.—For any or all of such purposes the County Board of Directors may divide the area into districts of such number, shape and area as may be deemed best suited to carry out the purposes of this act. Within such districts it may regulate and restrict building, plumbing or electrical codes, the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. All such regulations shall be uniform for each class or kind of building throughout each district, but the regulations in one district may differ from those in other districts.

SECTION 17. Regulations—further.—Such regulations shall be made in accordance with a comprehensive plan and shall be designed to lessen congestion in the streets, to secure safety from fire, panic and other dangers, to promote health and the general welfare, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population and to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. Such regulations shall be made with reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the area within its jurisdiction.

SECTION 18. Powers, duties and regulations — further.—The Board of Directors of Beaufort County shall provide for the manner in which such codes, regulations and restrictions and the boundaries of such districts shall be determined, established and enforced and from time to time amended, supplemented or changed. The Board of Directors may adopt building, plumbing or electrical codes, zoning regulations and restrictions for the entire area of jurisdiction at one time, or may by successive actions and resolutions adopt such codes, regulations and restrictions for major geographical sections or townships, consistent with other provisions herein. But no such codes, regulations, restriction or boundary shall become effective until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Two notices of such hearing shall be published in an official paper or paper of general circulation in the county. One notice shall be published at least thirty days prior to the hearing and the second notice at least fifteen days prior thereto.

SECTION 19. Regulations further—amendments of.—The County Board of Directors may, from time to time, amend the number,

shape, boundary or area of any district or any regulations of or within such district or any other provision of any zoning regulations or building, plumbing or electrical code, but no such amendment shall be made or become effective until it shall have been proposed by or be first submitted for approval, disapproval or suggestions to the planning board. Any proposal, approval, disapproval or suggestions of the planning board shall have advisory effect only and not be binding on the County Board of Directors and, unless the planning board shall have transmitted its report upon the proposed amendment within thirty days after the submission thereof to it, the County Board of Directors shall be free to proceed to the adoption of the amendment without further awaiting the receipt of the report of the planning board. Before finally adopting any such amendment, the County Board of Directors shall hold a public hearing thereon, notice of which shall be given in at least two weekly publications in a daily newspaper in the county.

SECTION 20. Boundaries of district—hearings on preliminary report.—In order to execute the powers conferred by this act, the planning board shall recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. The board shall make a preliminary report and hold public hearings thereon before submitting its final report. The County Board of Directors shall not hold its public hearing or take action until it has received the final report of the board.

SECTION 21. Board of adjustment to be appointed—members—terms—vacancies.—The Legislative Delegation shall provide for the appointment of a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this act may provide that the board of adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purpose and intent and in accordance with general or specific rules therein contained. The board of adjustment shall consist of five members to be appointed for terms of three years and until their successors are appointed and qualify, and any member may be removed for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled in the manner of the original appointment for the unexpired term of any member.

SECTION 22. Adopt rules—meetings—minutes—records to be made public.—The board of adjustment shall adopt rules in ac-

cordance with the provisions of any ordinance adopted pursuant to this act. Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine. The chairman or, in his absence, the acting chairman may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

SECTION 23. Municipalities may adopt board of adjustment.—

The governing body of any municipality located in whole or in part within the limits of the area may designate the board of adjustment as the official municipal board of adjustment of such municipality and, in the event of such designation and acceptance thereof by the County Board of Directors of Beaufort County, the board of adjustment shall have all of the powers and duties as provided by law for the municipal board of adjustment. And in the event there is no legislation for a municipal board of adjustment the power and authority granted the board of adjustment shall obtain.

SECTION 24. Powers and duties of board of adjustment.—The board of adjustment shall have the following powers:

(1) To hear and decide appeals when it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of this act or of any ordinance or rule or regulation adopted pursuant hereto;

(2) To hear and decide special exceptions to the terms of any ordinance or rule or regulation upon which such board is required to pass under such ordinance or rule or regulation; and

(3) To authorize upon appeal in specific cases such variance from the terms of any ordinance or rule or regulation as will not be contrary to the public interest when owing to special conditions a literal enforcement of the provisions of such ordinance or rule or regulation will result in unnecessary hardship and so that the spirit of such ordinance, rule or regulation shall be observed and substantial justice done.

SECTION 25. Appeals.—Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board

or bureau of the area or municipality affected by any decision of any officer administering the provisions of this act. Such appeal shall be taken within a reasonable time as provided by the rules of the board by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds thereof. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

SECTION 26. Appeals—further.—An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment that the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property. In such case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of adjustment or by the circuit court on application on notice to the officer from whom the appeal is taken on due cause shown.

SECTION 27. Hearing of appeal.—The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the appeal within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.

SECTION 28. Reversal of orders.—In exercising the above-mentioned powers the board may, in conformity with the provisions of this act, reverse or affirm wholly or partly or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance or to effect any variation in such ordinance.

SECTION 29. Persons aggrieved may petition court.—Any person or persons, jointly or severally aggrieved by any decision of the board of adjustment, any taxpayer or any officer, department, board or bureau of the area or municipality may present to the circuit court a petition, duly verified, setting forth that a decision of the board of

adjustment is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty days after the filing of the decision in the office of the board.

Upon the presentation of such petition the court may allow a writ of certiorari directed to the board of adjustment to review such decision of the board of adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the petitioner's attorney, which shall not be less than ten days and may be extended by the court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board and on due cause shown, grant a restraining order.

The board of adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.

SECTION 30. Court may take testimony.—If, upon the hearing, it shall appear to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report it to the court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the court shall be made. The court may reverse or affirm, wholly or partly, or may modify the decisions brought up for review.

Costs shall not be allowed against the board, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision from which the appeal is taken.

SECTION 31. Act not to affect buildings already in existence—nonconforming uses may be provided for.—The lawful use of a building or structure or the lawful use of any land, as existing and lawful at the time of the promulgation of zoning regulations, building, plumbing or electrical codes, or amendments thereto, at the time of such amendments may, except as herein provided, be continued although it does not conform with the provisions of such regulations, codes or amendments and such use may be extended throughout the same building if no structural alteration of such building is proposed or made for the purpose of such extension. The County Board of

Directors of Beaufort County may provide in any zoning or code regulations for the restoration, reconstruction, extension or substitution of nonconforming uses upon such terms and conditions as may be set forth in the zoning or code regulations. The County Board of Directors may also in any zoning or code regulations provide for the termination of nonconforming uses, either by specifying the period within which nonconforming uses shall be required to cease or by providing a formula whereby the compulsory termination of nonconforming uses may be so fixed as to allow for the recovery or amortization of the investment in the nonconformance.

SECTION 32. Injunctions against violators.—In case any building or structure is proposed to be erected, constructed, reconstructed, altered, maintained or used or any land is proposed to be used in violation of this act or of any regulations or amendment thereof enacted or adopted by the County Board of Directors under the authority granted by this act, the County Board of Directors, the county attorney or any owner of real estate within the district in which such buildings, structure or land is situate may, in addition to other remedies provided by law, institute an injunction, abatement or any appropriation action or proceeding to prevent, enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

SECTION 33. Planning board to submit regulations for subdivision of land—regulations to be followed if adopted by board.—The planning board shall prepare and submit to the County Board of Directors regulations governing the subdivision of land within its jurisdiction. The adoption of such regulations shall follow the method or procedure outlined in Section 18 of this act. If the County Board of Directors adopts regulations under the provisions of this act, then:

(a) Before any street or road is opened or extended, or before any new subdivision for residence, business or industrial use is made, the person proposing to open or extend such street or road or to make such subdivision shall submit a detailed preliminary plan of the same, with other necessary data, to the planning board. The board shall carefully examine such plans and specifications with regard to their nature and purpose, the width, character and location of streets, alleys, and roads, of easements for drainage and for other utilities; the size, material, location grades and manner of laying of water mains and sewer lines; the area and layout of lots to be created and the utility

services to be provided such lots; and the engineering and surveying data. No street, alley, road or subdivision shall be laid out as aforesaid without the prior approval of the County Board of Directors in accordance herewith, or of the planning board, if so empowered.

(b) Upon approval of the preliminary plan referred to in paragraph (a) of this section, such streets, alleys or roads as have been approved may be opened or extended, and such subdivision may be laid out and located on the ground; *provided*, however, that no lot or plot of land in such subdivision shall be sold or offered for sale, nor shall any plat of such subdivision be recorded, until after a final plan showing the actual location of streets, roads and lots, together with adequate engineering and surveying data representing the actual existing conditions, shall have been submitted to the planning board and received the approval of the County Board of Directors, or of the planning board or other delegated agent.

(c) Upon approval of the final plan referred to in paragraph (b) of this section, such plan may be recorded and lots in such subdivision may be sold and offered for sale; *provided*, however, that such approval shall not be deemed an acceptance of any dedication indicated on said plan nor shall it impose any duty on the county concerning maintenance or improvement.

(d) Any such regulation adopted by the County Board of Directors shall provide a maximum period of time for action or plats submitted for approval, after which time such plats shall be deemed to have been approved and a certificate to that effect shall be issued by the County Board of Directors or its duly authorized agent on demand.

SECTION 34. Clerk of court not to record subdivision plans unless approved by planning board—penalties.—The clerk of court shall not accept, file or record any subdivision plan in his office without the approval of the planning board within the area of its jurisdiction under the provisions of this act and should the clerk violate the provisions of this section he shall, in each instance, be subject to the same penalty provided in Section 39 of this act.

SECTION 35. Penalty for selling land in a subdivision without approval.—Whoever, being the owner or agent of the owner of any land located within a subdivision, transfers or sells, agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before such plat has been approved

by the planning board and recorded, shall forfeit and pay a penalty of one hundred dollars to the board for each lot or parcel transferred or sold or agreed or negotiated to be sold. The description of any such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring such lot or parcel shall not exempt the transaction from such penalties or from the remedies herein provided. The board may enjoin such transfer, sale or agreement by action for injunction brought in any court of competent jurisdiction and may also recover such penalty by civil action in any court of competent jurisdiction. The plats referred to in this section mean only such plats as shall designate and establish new streets in a subdivision which is presently to be developed.

SECTION 36. Naming of streets—penalties.—The planning board created under the provisions of this act shall, by proper certificate, approve and authorize the name of any street or road hereafter laid out within the territory over which the board has jurisdiction. It shall be unlawful for any person in laying out any new street or road within the territory, over which the planning board has jurisdiction to name such street or road on any plat, by any marking or in any deed or instrument without first getting the approval of the board of the name selected and given to such street or road. Any person violating this provision shall be guilty of a misdemeanor and upon conviction shall be punished by fine of not more than one hundred dollars or by imprisonment of not more than thirty days.

SECTION 37. Name of streets may be changed—conditions.—The board may, after reasonable notice is given in a daily newspaper printed in the county, change the name of any street or road within the boundary of its territorial jurisdiction: (a) when there is duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders or messages; (b) when it is found that a change may simplify marking or giving of directions to persons seeking to locate addresses; or (c) upon any other good and just reason that may appear to the board. On such name being changed, after reasonable opportunity for a public hearing, the board shall issue its certificate designating the change which shall be recorded in the office of the clerk of court and the name as so changed and certified shall thereafter be the legal name of the street or road.

SECTION 38. Regulation of set-back lines on new streets.—Whenever a plan for a street system has been adopted by the Coun-

ty Board of Directors and properly certified as official, the County Board of Directors, upon recommendation of the planning board, is hereby authorized and empowered to establish, regulate and limit, by regulations, the building or set-back lines on such existing and proposed streets or highways as are proposed for widening, and to prohibit any new building being located within such building or set-back lines, within the area under its jurisdiction. The board of adjustment shall have the power to modify or vary the set-back regulations in specific cases, in order that undue hardship may be avoided. In such cases, the permit granted shall be for a building or improvements which will as little as practicable increase the cost of widening or opening such street and may impose reasonable requirements as a condition of granting the permit. Set-back regulations under this section shall not be adopted, changed or amended until a public hearing has been held thereon by the County Board of Directors, notice of which shall be given by publication in a newspaper of general circulation in the county at least fifteen days before the date of the hearing.

SECTION 39. Penalties.—The violations of the provisions of this act, or any regulations adopted pursuant thereto, shall constitute a misdemeanor and any use of buildings or territory contrary thereto shall constitute a continuing violation and may be subject to repeated prosecutions if continued. Every person convicted of a misdemeanor under this act shall be punished by a fine of not more than one hundred dollars or imprisonment for not more than thirty days, unless a different penalty is otherwise specifically provided for herein.

SECTION 40. Present members of board to continue to serve.—The present three members of the board appointed under Act No. 733 of the Acts of 1954, as amended, shall constitute three of the members of the board provided for in this act and shall serve until the expiration of their present terms of office, at which time they may be reappointed for additional terms.

SECTION 41. Repeal—Act 733 of 1954, repealed.—Act No. 733 of the Acts of 1954, as amended, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 42. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R516, H1789)

No. 295

An Act To Amend Section 21-1812, Code Of Laws Of South Carolina, 1952, Relating To Local Area Trustees In Chester County, So As To Provide That Such Trustees Shall Be Residents Of The Area Which They Represent And To Provide That Each Trustee Of The Central Authority Of Chester County's Public Education System Shall Be A Resident Of The Area Which He Represents.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 21-1812, 1952 Code, amended — Chester County School Trustees to be residents of area they represent.—Section 21-1812, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following proviso: "*Provided*, that each local area trustee shall be a resident of the area which he represents."

SECTION 1-A. Further.—Each trustee of the Central Authority of Chester County's public education system shall be a resident of the area which he represents.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R517, H1790)

No. 296

An Act To Amend Section 21-1807, Code Of Laws Of South Carolina, 1952, As Amended, Relating To The Duties And Powers Of The Chester County School Board Of Trustees, So As To Make Further Provisions Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item (3) of Section 21-1807, 1952 Code, amended—Chester County school trustees to fix supplements in salaries.—Item (3) of Section 21-1807, Code of Laws of South Carolina, 1952, is amended to read as follows:

“(3) To fix local supplements in salaries, within the anticipated school revenue.”

SECTION 2. Item (10) of Section 21-1807, 1952 Code, amended—Chester County school trustees to make certain purchases.—

Item (10) of Section 21-1807, Code of Laws of South Carolina, 1952, is amended by adding at the end thereof the following:

“Provided, that all such purchases except books and instructional supplies shall be made by the board of trustees in the same manner as that prescribed in Section 3 of Act No. 866 of the Acts of 1952, relating to purchases by the Chester County Manager.”

SECTION 3. Item (11) of Section 21-1807, 1952 Code, deleted.—

Item (11) of Section 21-1807, Code of Laws of South Carolina, 1952, is hereby deleted.

SECTION 4.—Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R520, H1811)

No. 297

An Act To Provide For The Board Of Review For Tax Assessments In Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Board of Review for Tax Assessments created in Berkeley County — members — terms — officers.—There is hereby created a Board of Review for Tax Assessments in Berkeley County, which shall be composed of five members who shall be appointed by the Governor upon the recommendation of a majority of the Berkeley County Legislative Delegation. The members shall serve for terms of two years or until their successors are appointed and qualify. The board shall elect such officers and adopt such methods of procedure as it deems necessary for carrying out its functions.

SECTION 2. Powers and duties.—All abatements of any tax in Berkeley County shall not be effective until approved by the county

board of review, and the duties imposed upon and the authority presently vested in and exercised by the boards of equalization under the general law of the State are hereby devolved upon the county board of review.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R521, H1817)

No. 298

An Act To Provide For The Recording Fees And Commissions To Be Charged By The Clerk Of Court For Hampton County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clerk of court fees for Hampton County.—The Clerk of Court of Hampton County shall charge and collect fees and commissions as follows:

For signing and sealing summons	\$.50
Filing summons and complaint	.50
Filing answer, demurrer, or rejoinder in demurrer	.50
Signing and sealing subpoena writ	.50
Docketing a cause (one charge at each term)	.15
Attending a trial and swearing witnesses	1.00
Entering verdict or other order for final judgment on the minutes of the Court	.50
Special order for bail	.50
Filing and entering on the journal rule or order for arbitration	.50
Signing, entering and enrolling judgment	1.00
Signing and sealing execution	1.00
Signing and sealing renewal of execution	1.00
Entering satisfaction on judgment	.50
Filing transcript of judgment	1.50
Taking security for costs and entering order thereon	1.00
Recording judgment	1.50
Recording decree of foreclosure, partition and report—per hundred words	.20

Administering oath other than on trial of cause, proof of service on Sheriff's return, oath of juror or by order of court	.50
Taking and filing bond in attachment, claim and delivery, or in other cases	1.00
Signing and sealing commission to examine witnesses	1.00
Examining witnesses de bene esse	1.00
Exemplification of proceeding or other office, copy, per copy sheet of one hundred words	.20
Recording plat under order of court or copying the same—ten cents per corner	.10
Rule of survey	1.00
Each official certificate under seal of the court not herein specified	1.00
Issuing writ of attachment for contempt or other special writ.	1.00
Signing and sealing writ of habeas facias possessionem	1.00
Receiving and paying over money officially—two per cent if under three hundred dollars and one per cent for the balance (<i>Provided</i> , in foreclosure proceeding the minimum fee shall be \$7.50).	
For appeal from magistrate, all services included, except fee entering up judgment and issuing execution thereon	1.00
Issuing bench warrant, writ of habeas corpus, scire facias or execution in sessions	1.50
Each writ of venire facias, including all services incident to summoning juries	2.50
Preparing and issuing certificates for Petit Jurors and Constable for furnishing returns to county commissioners for each term of the Court of Common Pleas	7.50
Filing petition and signing writ de lunatico inquirendo	2.00
Furnishing advertisement in the case of escheat, foreclosure, partition, etc. (exclusive of printer's bill)	2.00
Recording whole proceeding therein—per hundred words	.20
Taking renunciation of dower, or inheritance	2.00
Swearing a magistrate or constable in office, taking bond and giving certificates thereof	2.00
Every probate in writing	.50
Signing and sealing dedimus protestatum	1.00
Official certificate to exemplification	1.50
Each day engaged in holding a reference	5.00
Filing report of reference	5.00

Hearing application for discharge of insolvent debtor	4.00
Hearing the same when litigated	6.00
Preparing deed (official)	4.00
Official notice of estray and filing papers	3.00
Recording deed—regular form (If more than 500 words, then twenty cents per hundred words thereafter)	1.00
Recording mortgage or real estate (If over 500 words, then twenty cents per hundred words thereafter)	1.00
For recording plat of not more than six corners (If more than six corners, then ten cents for each additional corner)	1.00
For enrolling and recording transcript of judgment from Mag- istrate's Court and issuing execution thereon	2.00
Filing lien (other than tax)	1.00
Indexing chattel or crop mortgage for one hundred dollars or less	.25
Recording bill of sale (If more than 500 words, then twenty cents per hundred words thereafter)	1.00
Recording chattel mortgage, sales contract and other such pa- per (If more than 500 words, then twenty cents per hun- dred words thereafter)	1.00
Recording Notary Public's commission	.50
Recording lease, contract, option, sales contract, timber deed or contract or any other paper to be recorded (If more than 500 words, then twenty cents per hundred words thereafter)	1.00
For filing and entering application for birth certificate	1.00
For furnishing birth certificate	1.00
Recording charter if not over five hundred words (If more than 500 words, then twenty cents per hundred words thereafter)	1.00
Filing Lis Pendens	1.50
Recording transfer of mortgage	.50
Recording satisfaction of mortgage	.50
Recording bond	1.50
Recording additional dower and probate on deed or mortgage ..	.50
Recording, filing or cancelling tax lien	1.50
Where no provision is made herein for recording fees or commis- sions, the general law shall apply.	

SECTION 2. Repeal.—All acts or parts of acts inconsistent here-
with are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R524, H1619)

No. 299

An Act To Exempt All New Businesses With Their Principal Place Of Business In Marion County From The Payment Of Certain County And Municipal Taxes.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax exemptions for new businesses in Marion County.—All new businesses with their principal place of business located in Marion County, with a paid-in capital stock of one hundred thousand dollars or more and employing an average of at least ten employees shall be exempt from the payment of all county or municipal taxes, except taxes for school purposes, for five years from the date of their establishment for all years subsequent to 1957, subject, however to the following provisions:

That before this act shall become effective as to county taxes it must be approved in writing by a majority of the Marion County Delegation.

That before this act shall become effective as to municipalities it must be approved in writing by a majority of the council or governing body, including the Mayor, as a voting member of the council or governing body.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R528, H1705)

No. 300

An Act To Amend Section 65-2008, Code Of Laws Of South Carolina, 1952, As Amended, Relating To Penalties On Unpaid Taxes And Assessments, So As To Provide For The Payment Of Interest On Delinquent Taxes And Assessments In Edgefield County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 65-2008, 1952 Code, amended—interest to be paid on delinquent taxes in Edgefield County.—Section 65-2008, Code of Laws of South Carolina, 1952, as amended, is further amended by adding at the end thereof the following :

“In Edgefield County after the treasurer has issued his tax execution for delinquent taxes, assessments and penalties against the property of a defaulting taxpayer, interest of one-half of one per cent on the amount of the execution shall be charged for each month or fraction of a month such execution is unsatisfied.”

SECTION 2. Tax to apply to 1958 only.—The provisions of this act shall not apply to taxes or assessments now delinquent, except those for the year 1958.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R532, H1757)

No. 301

An Act To Impose A Levy Of Seven Mills Upon All The Taxable Property In Greenville County For Charity Hospitalization; To Regulate The Expenditure Of The Proceeds Of The Levy; To Further Provide For Charity Hospitalization And To Repeal Act No. 290 Of The Acts Of 1955, Relating To Charity Hospitalization In Greenville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County—tax levy for charity hospitalization.—A tax levy of seven mills is hereby imposed upon all the taxable property in Greenville County, the proceeds of which shall be used for charity hospitalization, except so much as may be necessary to pay the salary of the County Investigator.

SECTION 2. Disposition of funds.—From the levy imposed under Section 1 a maximum of one hundred thousand dollars is appropriated to the Greenville County Nursing Home and the remainder is appropriated to the Greenville General Hospital for charity hospitalization. Funds herein appropriated to the Greenville County Nursing Home shall be expended only upon approval of a Budget therefor submitted to the County Delegation.

SECTION 3. Disposition of surplus.—If there should be a surplus from the tax imposed by Section 1 of this act at the end of any fiscal year, it shall be transferred to the general fund of the county.

SECTION 4. Portion of funds may be credited to general fund of county—conditions.—If any portion of the annual State income tax allocated to Greenville County is diverted to the use of the State Department of Public Welfare to provide for medical and hospital care for persons qualified to receive public assistance, a like or equal sum shall be diverted from the levy imposed under Section 1 of this act and credited to the general fund of Greenville County.

SECTION 5. Greenville General Hospital may contract with other hospitals.—The trustees of the Greenville Hospital shall have the right to enter into contracts with other hospital units in Greenville County in rendering charity hospitalization to those qualified to receive such care.

SECTION 6. Patients to be certified by Director of Greenville General Hospital—monthly report.—No patient shall be eligible for charity hospitalization except after extensive investigation and certification by the Director of the Greenville General Hospital or his duly appointed assistant. The director shall submit, monthly, a list setting forth the name, age, sex, color, local address, length of period in the county, date of admission, date of discharge of the patients, cost to the hospital and the name of referring physician or agency so certifying their discharge during the month for which the report is submitted.

SECTION 7. Hospital to retain funds collected from charity patients.—All funds collected by the Greenville General Hospital from patients certified for charity hospitalization shall be retained by the hospital, except surplus funds as hereinabove provided.

SECTION 8. Method for determining eligibility for charity hospitalization and claims for payments to be submitted to County Board of Commissioners.—The Greenville County Board of Commissioners shall be advised of the method or formula used by the Greenville General Hospital in determining eligibility for charity hospitalization and they shall have the authority to review and examine any and all claims submitted to them for payment. Any and all claims that are submitted to the Greenville County Board of Commissioners must be in good order and in strict compliance with this act and in the event any claims do not comply with this stipulation they shall not be paid by the Greenville County Board of Commissioners.

SECTION 9. Act 290 of 1955, repealed.—Act No. 290 of the Acts of 1955 is hereby repealed.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect July 1, 1959.

Approved the 28th day of May, 1959.

(R533, H1760)

No. 302

An Act To Devolve The Duties Of The Greenville County Board Of Charity Appeals Upon the County Board Of Commissioners And To Repeal Section 71-341, Code Of Laws Of South Carolina, 1952, Relating To The Board Of Charity Appeals.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Powers and duties of Greenville County Board of Charity Appeals devolved upon County Board of Commissioners.—The powers and duties of the Greenville County Board of Charity Appeals is hereby devolved upon the Greenville County Board of Commissioners.

SECTION 2. Section 71-341, 1952 Code, repealed.—Section 71-341, Code of Laws of South Carolina, 1952, is hereby repealed.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1959.

Approved the 28th day of May, 1959.

(R534, H1761)

No. 303

An Act To Authorize The Greenville County Board Of Commissioners To Employ A Charity Investigator; To Provide For His Powers And Duties And To Repeal Sections 71-341 Through 71-352, Code Of Laws Of South Carolina, 1952, Relating To The Greenville County Board Of Charity Appeals And Charity Investigator.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenville County may employ charity investigator.—The Greenville County Board of Commissioners is authorized to employ a full time charity investigator. The salary for the investigator shall be provided for in the annual county supply act.

SECTION 2. Duties.—The board shall promulgate rules and regulations regarding the charity investigator's duties to the extent that he shall investigate any and all matters relating to charity within the county.

SECTION 3. Repeal—Sections 71-341 through 71-352, 1952 Code, repealed.—Sections 71-341 through 71-352, Code of Laws of South Carolina, 1952, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect July 1, 1959.

Approved the 28th day of May, 1959.

(R537, H1810)

No. 304

An Act To Prohibit The Use Of York County Road Equipment On Private Property Except In Certain Instances And Further Defining The Use Of County Prison Labor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County road equipment not to be used on private property.—No road equipment of whatever description owned by the County of York shall be used on private property or property which the County is not legally required to maintain, except as hereinafter provided.

SECTION 2. Extent of use.—The use of such equipment on roads within the county system may extend to thirty-seven and one-half feet on either side of the center line thereof, but no further.

SECTION 3. Equipment may be used on private property when contract entered into.—Such equipment may be used on any private or other property for the construction, paving, or maintenance of a road or parking area on said property only where the owner thereof has entered into a contract with the county for such work; *provided*, however, that road scrapers may be used to scrape and ditch any road which has been rendered impassable by weather conditions. *Provided*, further, that nothing herein contained shall be construed so as to prohibit the use of such equipment in fulfilling contracts entered into with the South Carolina Highway Department.

SECTION 4. Prisoners may perform certain work when county work not required.—Inmates of the York County Prison Camp may perform hand labor on church grounds, public recreation parks, public community building property, and civic organization property only when the use of such labor is not required for county purposes as now provided by law, and only upon written request to the County Supervisor and approval of the majority of the Board of Directors, which request shall be kept on file in the office of the County Supervisor and made a part of the public records of York County.

SECTION 5. Violations of act grounds for removal from office.—Violation of this act shall constitute grounds for removal from office of any person authorizing such work.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R540, S296)

No. 305

An Act To Create The Dillon County Rural Fire And Rescue Department And To Provide For Its Operation, Functions And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Dillon County Rural Fire and Rescue Department, created.—Officers.

(a) There is hereby created the Dillon County Rural Fire and Rescue Department, to be composed of a Director, whose duties shall be to coordinate, organize and supervise operations of the various units of the county, each unit being composed of a Chief, Assistant Chief, Captain, two Lieutenants and such other officers as the Director may deem necessary for its effective operation.

(b) The Director shall be appointed by a majority of the Dillon County Legislative Delegation, including the Senator, for an indefinite period of time, and his tenure of office shall depend upon his good conduct and efficiency. The Director shall be technically qualified by training and experience and shall have ability to command men and hold their respect and confidence. He shall be removed only for just cause and after a public hearing before the Delegation.

(c) The Director shall be held accountable to the Delegation and shall make written and verbal reports thereto as the Delegation may require. All other Department and Company officers shall be accountable to the Director.

(d) The Chief and Assistant Chiefs and all other Department and Company officers shall be appointed by the Director. Such officers shall be accountable to the Director and subject to removal by him.

SECTION 2. Powers and duties.—Duties of the Chief, and Director.

(a) The Chief shall formulate a set of rules and regulations to govern the Department, and shall be responsible to the Director for the personnel, morale and general efficiency of the Department.

(b) The Director shall determine the number and kind of companies of which the Department is to be composed and shall determine the response of such companies to alarms.

(c) The Chief or his assistants shall, at least once a month, conduct suitable drills or instruction in the operation and handling of equipment, first aid and rescue work, salvage, a study of buildings in the county, fire prevention, water supplies, and all other matters generally considered essential to good firemanship and safety of life and property from fire.

(d) The Director and Chief are hereby required to assist the proper authorities in suppressing the crime of arson by investigating or causing to be investigated the cause, origin, and circumstances of all fires.

(e) The Director, Chief, and assistant chiefs are hereby empowered to enter any and all buildings and premises at any reasonable hour for the purpose of making inspections and to serve written notice upon the owner or occupant to abate, within a specified time, any and all fire hazards that may be found.

(f) Any person served with a notice to abate any fire hazard or hazards shall comply therewith and promptly notify the Chief.

(g) The Director shall see that complete records are kept of all fires, inspections, apparatus and minor equipment, personnel and other information about the work of the Department.

(h) The Chief shall report monthly to the Delegation and the Director the conditions of the apparatus and equipment, the number of fires during the month, their location and cause, and date of same and loss occasioned thereby; the number and purpose of all other runs made; and the number of members responding to each fire or other run, and any changes in membership.

(i) The Director shall make a complete annual report to the Delegation and County Board of Commissioners within one month after the close of the fiscal year, such report to include the information specified in paragraph (g), together with comparative data for previous years and recommendations for improving the effectiveness of the Department.

SECTION 3. Use and purchase of equipment.—Equipment.

(a) The Department shall be equipped with such apparatus and other equipment as may be required from time to time to maintain its efficiency and properly protect life and property from fire.

(b) Recommendations of apparatus and equipment needed shall be made by the Director, and after approval by the Delegation and County Board of Commissioners, shall be purchased in such manner as may be designated by the Delegation.

(c) All equipment of the Department shall be safely and conveniently housed in such places as may be designated by the Director and County Board of Commissioners.

(d) No person shall use any fire apparatus or equipment for any private purpose, nor shall any person wilfully and without proper authority take away or conceal any article used in any way by the Department.

(e) No person shall enter any place where fire apparatus is housed or handle any apparatus or equipment belonging to the Department unless accompanied by, or having the special permission of, an officer or authorized member of the Department.

SECTION 4. Members to have badges—cars to be marked—unlawful acts.—General.

(a) Each member of the Department shall be issued a badge designating his rank.

(b) All motor equipment and all personal cars of Department members shall have right-of-way over all other traffic when responding to an alarm.

(c) Each member of the Department driving a car shall be issued a suitable insignia to be attached to the car.

(d) No person shall drive any vehicle over fire hose except upon specific orders from the Chief or other officer in charge where the hose is issued.

(e) No person shall park any vehicle or otherwise cause any obstruction to be placed within fifty feet of the entrance to any fire station or other place where fire apparatus is stored, or within ten feet of any fire hydrant or cistern.

(f) No person shall maliciously turn in or cause to be turned in a false alarm.

SECTION 5. Penalties—enforcement of act.—Enforcement.

(a) Any person violating the provisions of Section 2, paragraph (f); Section 3, paragraphs (d) and (e); and Section 4, paragraphs (b), (d), (e), and (f), shall, upon conviction, pay a fine of not less than ten dollars or more than one hundred dollars or be imprisoned for not less than ten days or more than thirty days for each offense.

(b) All regularly appointed members of the Department are hereby given the necessary special police powers for the purpose of enforcing the provisions of this ordinance.

(c) It is hereby made the special duty of the Sheriff and other peace officers, who may be on duty and available for fire duty, to respond to all fire alarms and assist the Department in the protection of life and property, in regulating traffic, maintaining order, and in enforcing observance of all sections of this ordinance.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R541, S340)

No. 306

An Act To Amend Section 21-1815, Code Of Laws Of South Carolina, 1952, Relating To Chester County School District Financing And Fund Unit, So As To Provide That All Warrants, Checks Or Vouchers For School Expenses Shall Be Prepared And Issued By The County Superintendent Of Education's Office And Signed By The Superintendent Of Education, And A Person Designated By The Chester County School District Board Of Trustees.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester County School District to be unit for financing—disbursement of funds—signing of.—Section 21-1815, Code of Laws of South Carolina, 1952, is amended to read as follows: "Section 21-1815. The Chester County School District shall in all cases be the unit for financing and receiving all local, State and Federal funds for educational purposes, and in all cases all funds received by such school district shall be disbursed through the County Superintendent of Education's office in the following manner: all warrants, checks or vouchers for the payment of school teachers' salaries, the salaries of other school personnel and all other school claims and expenses of any nature shall be prepared and issued in-

dividually and separately by the County Superintendent of Education's office and all such warrants, checks or vouchers shall be signed by the County Superintendent of Education, and one bonded person designated by the Chester County School District Board of Trustees."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect July 1, 1959 after approval by the Governor.

Approved the 28th day of May, 1959.

(R549, H1675)

No. 307

An Act To Authorize The Clerk Of Court Of Kershaw County To Destroy Certain Records.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Kershaw County—clerk of court may destroy certain records.—The Clerk of Court of Kershaw County is authorized to destroy the record of chattel mortgages more than seven years old, except those which have been renewed of record by re-filing and reindexing during the past three years, as authorized by Section 60-306, Code of Laws of South Carolina, 1952, and except such mortgages executed by any public service corporation or given to secure any indebtedness to the United States of America, or any agency or instrumentality thereof, incurred under the Rural Electrification Act of 1936, as amended.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R553, H1734)

No. 308

An Act To Declare Certain Portions Of The Cooper River To Be Clear Water, To Regulate The Use Of Trot Lines, Pump Nets Or Skim Bow Nets, And Baskets In Such Waters, And To Provide Penalties For Violations Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Portion of Cooper River designated as clear water.—For the purpose of laws relating to fishing the waters of the north and south branches of the Cooper River down to their confluence is hereby declared to be clear water.

SECTION 2. Trot lines, baskets and certain nets may be used—conditions.—Trot lines or baskets and pump nets or skim bow nets may be used in the waters of the north and south branches of the Cooper River down to their confluence from sunrise on Wednesdays to sunset on Saturdays for the taking of nongame fish, provided the trot lines are baited only with cut bait or dough balls. If fish or minnows are used for cut bait they must be cut in not less than four parts. Trot lines or baskets may be used provided that a tag issued by the Wildlife Resources Department is attached to each trot line and basket, such tags to cost one dollar each. The tag must be securely attached to each basket and trot line. No trot line may have more than fifty hooks. The tags shall be good for the calendar year in which they are issued.

SECTION 3. Possession of game fish or fishing tackle unlawful while fishing trot lines or baskets.—It shall be unlawful for any person to have in his possession game fish or fishing tackle capable of catching game fish while fishing trot lines or baskets in these waters.

SECTION 4. Trot lines and baskets to be properly marked.—All trot lines and baskets must be marked by visible floats and any trot lines or baskets not marked and properly tagged shall be subject to confiscation and the owner shall be guilty of violating this act.

SECTION 5. Unlawful to fish other person's baskets or trot lines.—Each person securing tags for baskets or trot lines must fish only his own baskets or trot lines and any person fishing another person's baskets or trot lines without authorization in writing from the owner shall be guilty of a misdemeanor.

SECTION 6. Act not to affect shad fishing.—Fishing for shad in compliance with the law shall in no wise be affected by the provisions of this act.

SECTION 7. Penalties.—Any person convicted of violating any provision in this act shall suffer the forfeiture of any and all tags or licenses held by him hereunder, shall be ineligible for any other license or tag during that calendar year, and shall be subject to a fine, for the first offense not less than fifty dollars and not more than one hundred dollars, for the second offense he shall be subject to a fine of one hundred dollars or imprisonment for thirty days, and for a third or subsequent offense imprisonment for thirty days.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R556, H1250)

No. 309

An Act To Amend Sections 46-154 And 46-155, Code Of Laws Of South Carolina, 1952, Relating To The Operation Of Motor Vehicles By Minors So As To Provide For Issuing Restricted Driver's Licenses To Persons Between The Ages Of 14 And 16 To Drive Between The Hours Of 6 A. M. And 6 P. M.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 46-154, 1952 Code, amended—drivers' licenses not to be issued to certain persons.—Amend Section 46-154 of the Code of Laws of South Carolina, 1952, as amended, to read as follows:

“Section 46-154. What persons shall not be licensed.

The State Highway Department shall not issue any motor vehicle driver's license hereunder:

1. To any person who is under sixteen years of age, except that the Department may issue a beginner's or instruction permit as hereinafter provided for to any person who is at least fourteen years

of age; and except that the Highway Department may issue a Special Restricted Driver's License to any person who is at least 14 years old and less than 16 years old, who has first acquired a beginner's permit and who has successfully passed such road tests or otherwise as the Highway Department may in its discretion prescribe, which Special Restricted Driver's License shall be valid and lawful only under the following conditions:

(a) In the operation of all type vehicles, except that between the hours of 6:00 p.m. o'clock and 6:00 a.m. o'clock the holder of such Special Restricted Driver's License must be accompanied by a licensed adult 21 years of age or more, or accompanied by the holder's parent or guardian.

(b) In the operation of farm machinery and equipment (other than a passenger car) while engaged in agricultural pursuits.

(c) In the operation of a motor scooter, or light motor driven cycle of five brake horse power or less;

2. To any person whose license has been suspended during such suspension, nor to any person whose license has been revoked, except as otherwise provided for in this Chapter;

3. To any person who is an habitual drunkard, or is an habitual user of narcotic drugs, or is an habitual user of any other drug to a degree which renders him incapable of safely driving a motor vehicle;

4. To any person who has previously been adjudged to be afflicted with or suffering from any mental disability or mental disease and who has not at the time of application been restored to competency by methods provided by law;

5. To any person who is required by this Chapter to take an examination, unless such person shall have successfully passed such examination; and to any person who is required under the laws of this State to deposit proof of financial responsibility and who has not deposited such proof;

6. To any other person who may not be issued a license as otherwise provided by the laws of this State."

SECTION 2. Paragraph (a) of Section 46-155, 1952 Code, amended—issuance of beginners' permits.—Amend Paragraph (a) of Section 46-155, Code of Laws of South Carolina, 1952, as amended, to read as follows:

"(a) Any person who is at least fourteen years of age may apply to the State Highway Department for a beginner's permit. The State

Highway Department may, after the applicant has successfully passed all parts of the examination other than the driving test, issue to the applicant a beginner's permit which shall entitle the applicant having such permit in his immediate possession to drive a motor vehicle upon the public highways for a period of not more than six months. While so driving such permittee must be accompanied by a licensed driver twenty-one years of age or older who has had at least one year of driving experience, and who is occupying a seat beside the driver, except in the event the permittee is operating a motorcycle. Any such beginner's permit may be renewed or a new permit issued for additional periods of six months, but the Department may refuse to renew or issue a new permit where the examining officer has reason to believe that the applicant therefor, if over sixteen years of age, has not made a bona fide effort to pass the required driver's road test, or does not appear to the examining officer to have the aptitude to pass such road test. No fee shall be charged for a beginner's permit."

SECTION 3. Act not to apply to certain persons.—The provisions of this Act shall not apply to any person holding a driver's license or beginner's permit on the effective date of this Act.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect on July 15, 1959.

Approved the 28th day of May, 1959.

(R557, H1355)

No. 310

An Act To Provide An Appraiser For Darlington County And To Provide For A Board Of Review For Tax Assessment And Abatements.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Tax appraiser to be appointed for Darlington County—term—compensation—duties.—The Governor shall appoint a tax appraiser for Darlington County upon the recommendation of the Darlington County Legislative Delegation. The tax ap-

praiser shall serve for a term of four years and until his successor is appointed and qualified. The tax appraiser shall receive such compensation as may be provided in the annual Darlington County Appropriation Act. The tax appraiser, in addition to appraising all real and personal property, except that subject to assessment by the State Tax Commission, for the purpose of tax assessment, shall have custody of all area maps, cards and records relative to appraisals and shall keep such maps, cards and records current.

SECTION 2. Board of Review for tax assessments created for Darlington County—members—terms—duties.—There is hereby created a board of review for tax assessments for Darlington County which shall be composed of five members, four of whom shall be appointed by the Governor upon the recommendation of the Darlington County Legislative Delegation for terms of four years or until their successors are appointed and qualified. The Darlington County Tax Appraiser shall serve ex officio as a member of the board and shall act as chairman. Valuation placed upon property, except that subject to assessment by the State Tax Commission, in the county may be reviewed by the county board of review under such rules and regulations as the board may promulgate.

SECTION 3. Abatements to be reviewed.—All abatements of any taxes in Darlington County shall be reviewed by the county tax appraiser and the county auditor.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

An Act To Amend Act No. 723 Of Acts Of 1952, Relating To Motor Vehicle Safety Responsibility, So As To Strengthen The Financial Responsibility Law; To Amend Section 46-333, Code Of Laws Of South Carolina, 1952, Relating To The Confidential Use Of Information Contained In Motor Vehicle Accident Re-

ports, So As To Provide That The Highway Department May, Upon Request, Furnish Certain Information Regarding The Existence Of Insurance And To Provide That Any Uninsured Person Convicted Of A Violation Of Any Traffic Law Of This State For Which Points Are Chargeable Shall Be Required To File Proof Of Financial Responsibility For The Future; And To Provide For The Payment Of A Fee For Reistration Of Uninsured Vehicles And To Provide For The Disposition Of The Funds So Collected.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (10) of Section 1 of Act 723 of 1952, amended—proof of financial responsibility defined.—Subsection (10) of Section 1 of Act No. 723 of 1952 is amended to read as follows:

“(10) Proof of Financial Responsibility. Proof of ability to respond in damages for liability, on account of accidents occurring after the effective date of said proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount of ten thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to said limit for one person, in the amount of twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of five thousand dollars because of injury to or destruction of property of others in any one accident.”

SECTION 2. Subsection (a) of Section 5 of Act 723 of 1952, amended—license to be suspended following accident unless security deposited.—Subsection (a) of Section 5 of Act No. 723 of 1952 is amended to read as follows:

“(a) Security Required following Accident. The department, upon receipt of a report of a motor vehicle accident within the State which has resulted in bodily injury or death, or damage to the property of any one person in excess of fifty dollars, shall, within sixty days thereafter, suspend the license of each operator or driver and all registrations of each owner of a motor vehicle involved in such accident and if such operator or driver is a nonresident, the privilege of operating a motor vehicle within this State and the privilege of the use within this State of any motor vehicle owned by him, unless such operator or driver or owner or both shall deposit security in a sum not less than two hundred fifty dollars or such additional amount as

the department may specify that will be sufficient to satisfy any judgment that may be recovered for damages resulting from the accident which may be recovered against the operator or owner, and unless such owner and operator shall immediately give and thereafter maintain proof of financial responsibility on all motor vehicles owned or operated by him. Notice of the suspension shall be sent by the department to the operator and owner at least ten days before the effective date of the suspension and shall state the amount required as security."

SECTION 3. Subsection (c) of Section 5 of Act 723 of 1952, amended—policy or bond—requirements of.—Subsection (c) of Section 5 of Act No. 723 of 1952 is amended to read as follows:

"(c) No policy or bond shall be effective under this section unless issued by an insurance company or surety company authorized to do business in this State except that if the motor vehicle was not registered in this State, or was a motor vehicle which was registered elsewhere than in this State at the effective date of the policy or bond, or the most recent renewal thereof, the policy or bond shall not be effective under this section unless the insurance company or surety company if not authorized to do business in this State shall execute a power of attorney authorizing the department to accept service on its behalf of notice or process in any action upon the policy or bond arising out of the accident; provided, however, every policy or bond must be subject, if the accident has resulted in bodily injury or death, to a limit, exclusive of interest and costs, of not less than ten thousand dollars because of bodily injury to or death of one person in any one accident and, subject to this limit for one person, to a limit of not less than twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and, if the accident has resulted in injury to or destruction of property, to a limit of not less than five thousand dollars because of injury to or destruction of property of others in any one accident."

SECTION 4. Subsections (2) and (3) of Section 7 of Act 723 of 1952, amended—when suspended licenses may be restored.—Subsections (2) and (3) of Section 7 of Act No. 723 of 1952 is amended to read as follows:

"(2) Two years shall have elapsed following the date of the accident and evidence satisfactory to the department has been filed with it that during that period no action for damages arising out of the accident has been instituted; or

(3) Evidence satisfactory to the department has been filed with it of a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged written agreement, in accordance with subdivision (3) of Section 6; *Provided*, however, in the event there shall be any default in the payment of any installment under any confession of judgment, then, upon notice of default, the department shall suspend the license and registration or nonresident's operating privilege of the person defaulting which shall not be restored until the entire amount provided for in confession of judgment has been paid; and *provided*, further, that in the event there shall be any default in the payment of any installment under any duly acknowledged written agreement, then, upon notice of default, the department shall suspend the license and registration or nonresident's operating privilege of the person defaulting which shall not be restored unless and until (1) he deposits and thereafter maintains security as required under Section 5 in the amount the department may determine, or (2) two years shall have elapsed following the date when the security was required and during that period no action upon the agreement has been instituted in a court in this State."

SECTION 5. Section 8 of Act 723 of 1952, amended—nonresidents and unlicensed drivers to comply with act if involved in an accident—reciprocity with other states concerning suspensions of licenses.—Section 8 of Act No. 723 of 1952 is amended to read as follows:

"Section 8. (a) In the event the driver or the owner of a vehicle of a type subject to registration under the laws of this State is involved in an accident within this State, has no license or registration in this State, such driver shall not be allowed a license, nor shall such owner be allowed to register any vehicle in this State, until he has complied with the requirements of this article to the same extent that would be necessary if at the time of the accident, he had held a license or been the owner of a vehicle registered in this State.

(b) When a nonresident's operating privilege is suspended pursuant to Section 5 or Section 7, the department shall transmit a certified copy of the record of such action to the official in charge of the issuance of licenses and registration certificates in the state in which such nonresident resides, if the law of such other state pro-

vides for action in relation thereto similar to that provided for in subsection (c) of this section.

(c) Upon receipt of such certification that the operating privilege of a resident of this State has been suspended or revoked in any such other state pursuant to a law providing for its suspension or revocation for failure to deposit security for the payment of judgments arising out of a motor vehicle accident, under circumstances which would require the department to suspend a nonresident's operating privilege had the accident occurred in this State, the department shall suspend the license of such resident if he was the driver and all of his registrations if he was the owner of a motor vehicle involved in such accident. Such suspension shall continue until such resident furnishes evidence of his compliance with the law of such other state relating to the deposit of such security."

SECTION 6. Subsection (b) of Section 9 of Act 723 of 1952, amended—department may reduce amount of security.—Subsection (b) of Section 9 of Act No. 723 of 1952 is amended to read as follows:

"(b) The department may at any time reduce the amount of security ordered in any case if, in its judgment, the amount ordered is excessive. In case the security originally ordered has been deposited, the excess deposited over the reduced amount ordered shall be returned to the depositor or his personal representative, notwithstanding the provisions of Section 10. But in no case shall the Department reduce the amount of security to a sum less than two hundred fifty dollars."

SECTION 7. Section 10 of Act 723 of 1952, amended—custody and disposition of security.—Section 10 of Act No. 723 of 1952 is amended to read as follows:

"Section 10. Custody, Disposition, and Return of Security. Security deposited in compliance with the requirements of this article shall be placed by the department in the custody of the State Treasurer and shall be applicable only to the payment of judgments rendered against the persons on whose behalf the deposit was made, for damages arising out of the accident in question in an action at law, begun not later than two years after the date of the accident, or within two years after the date of deposit of any security under subdivision (3) of Section 7, and this deposit or any balance thereof shall be returned to the depositor or his personal representative

when evidence satisfactory to the department has been filed with it that there has been a release from liability, or a final adjudication of nonliability, or a warrant for confession of judgment, or a duly acknowledged agreement, in accordance with subdivision (3) of Section 6, or whenever, after the expiration of two years from the date of the accident, or within two years after the date of deposit of any security under subdivision (3) of Section 7, the department shall be given reasonable evidence that there is no action pending and no judgment rendered in the action left unpaid."

SECTION 8. Subsection (a) of Section 15 of Act 723 of 1952, amended—amounts necessary to satisfy judgments.—Subsection (a) of Section 15 of Act No. 723 of 1952 is amended to read as follows:

"(a) Judgments herein referred to shall, for the purpose of this act only, be considered satisfied:

1. When ten thousand dollars has been credited upon any judgment rendered in excess of that amount because of bodily injury to or death of one person as the result of any one accident; or

2. When, subject to the limit of ten thousand dollars because of bodily injury to or death of one person, the sum of twenty thousand dollars has been credited upon any judgments rendered in excess of that amount because of bodily injury to or death of two or more persons as the result of any one accident; or

3. When five thousand dollars has been credited upon any judgments rendered in excess of that amount because of injury to or destruction of property of others as a result of any one accident."

SECTION 9. Section 19 of Act 723 of 1952, amended—insurance certificate may satisfy proof of financial responsibility.—Section 19 of Act No. 723 of 1952 is amended to read as follows:

"Section 19. (a) Proof of financial responsibility may be furnished by filing with the department the written certificate of any insurance carrier duly authorized to do business in this State certifying that there is in effect a motor-vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. The certificate shall give the date of the motor-vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all motor vehicles covered thereby, unless the policy is issued to a person who is not the owner of a motor vehicle.

Such policy shall be written for a minimum term of one year. A certificate of insurance shall remain in full force and effect for a period of at least ninety days unless such certificate is cancelled by the insurance company for some reason other than nonpayment of premium. Should a certificate of insurance be cancelled after ninety days for nonpayment of premium, the insurance company issuing such certificate shall immediately notify the Highway Department that the reason for such cancellation is for nonpayment of premium. Should a certificate of insurance be cancelled for any reason other than for nonpayment of premium the insurance company issuing such certificate shall immediately notify the Highway Department that the cancellation is not for nonpayment of premium. The Highway Department may refuse acceptance of the certificate of insurance required under this section for the following reasons:

1. If the certificate is filed by an agent or company found to be in violation of any of the provisions of this act.

2. If the certificate is filed for any person who has previously had a certificate cancelled for nonpayment of premium, unless the policy under which such certificate is issued is certified to be noncancellable for a period of one year for nonpayment of premium.

(b) No motor vehicle shall be or continue to be registered in the name of any person required to file proof of financial responsibility unless the motor vehicle is so designated in the certificate."

SECTION 10. Section 19-A of Act 723 of 1952, amended—assigned risk plans.—Section 19-A of Act No. 723 of 1952 is amended to read as follows:

"Section 19-A. After consultation with insurance companies authorized to issue automobile liability policies in this State, the Insurance Commissioner shall approve a reasonable plan or plans for the equitable apportionment among such companies of applicants for such policies and for motor vehicle liability policies who are in good faith entitled to such policies but are unable to procure them through ordinary methods. Any such plan shall include the establishment of uniform premium rates as to each class of risk, based on the combined loss experience of all companies who participate in the assigned risk plan, on their assigned risk experience as a separate class. When any such plan has been approved, all such insurance companies shall subscribe thereto and participate therein. Any applicant for any such policy, any person insured under any such plan and any insurance company affected may appeal to the Insurance Commissioner from

any ruling or decision of the manager of committee designated to operate such plan. Any person aggrieved hereunder by any order or act of the Insurance Commissioners may, within ten days after notice thereof, file a petition in the Court of Common Pleas of Richland County for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree."

SECTION 11. Section 21 of Act 723 of 1952, amended—motor vehicle liability policy—definition and provisions of.—Section 21 of Act No. 723 of 1952 is amended to read as follows:

"Section 21. (a). A 'motor-vehicle liability policy' as the term is used in this act shall mean an owner's or an operator's policy of liability insurance, certified as provided in Section 19 or Section 20 as proof of financial responsibility, and issued, except as otherwise provided in Section 20, by an insurance carrier duly authorized to transact business in this State, to or for the benefit of the person named therein as insured.

(b) An owner's policy of liability insurance shall designate by explicit description or by appropriate reference all motor vehicles with respect to which coverage is thereby to be granted.

(c) No policy or contract of bodily injury liability insurance, or of property damage liability insurance, covering liability arising from the ownership, maintenance or use of any motor vehicle, shall be issued or delivered in this State to the owner of such vehicle, or shall be issued or delivered by any insurer licensed in this State upon any motor vehicle then principally garaged or principally used in this State, unless it contains a provision insuring the person named therein and any other person, as insured, using any of those motor vehicles with the express or implied permission of the named insured, against loss from the liability imposed by law for damages arising out of the ownership, maintenance or use of such motor vehicles within the United States of America or the Dominion of Canada, subject to limits exclusive of interest and costs, with respect to each motor vehicle, as follows: ten thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to such limit for one person, twenty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and five thousand dollars because of injury to or destruction of property of others in any one accident.

(d) Nor shall any such policy or contract be so issued or delivered after January 1, 1961 unless it contains an endorsement or provision

undertaking to pay the insured all sums which he shall be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which shall be no less than the requirements of paragraph (c) of this section, as amended from time to time; *provided*, that on and after January 1, 1960, all insurance companies offering such policies shall make available to policyholders on an optional basis policies containing the endorsement or provisions referred to in this paragraph. Such endorsement or provisions shall also provide for no less than five thousand dollars coverage for injury to or destruction of the property of the insured in any one accident but may provide an exclusion of the first two hundred dollars of such loss or damage.

(e) As used in this section, the term 'bodily injury' shall include death, resulting therefrom; the term 'insured' as used in subsections (d), (f), (h), and (i) hereof, means the named insured and, while resident of the same household, the spouse of any such named insured, and relatives of either, while in a motor vehicle or otherwise, and any person who uses, with the consent, expressed or implied, of the named insured, the motor vehicle to which the policy applies and a guest in such motor vehicle to which the policy applied or the personal representative of any of the above; and the term 'uninsured motor vehicle' means a motor vehicle as to which there is no (i) bodily injury liability insurance and property damage liability insurance both in the amounts specified in paragraph (c) of this section, as amended from time to time, or (ii) there is such insurance but the insurance company writing the same denies coverage thereunder, and (iii) there is no bond or deposit or cash securities in lieu of such bodily injury and property damage liability insurance. A motor vehicle shall be deemed to be uninsured if the owner or operator thereof be unknown; *provided*, that recovery under the endorsement or provisions shall be subject to the conditions hereinafter set forth.

(f) If the owner or operator of any motor vehicle which causes bodily injury or property damage to the insured be unknown, the insured or someone on his behalf, in order for the insured to recover under the endorsement, shall report the accident as required by Sections 46-326, 46-327, and 46-328 of the 1952 Code.

(g) If the owner or operator of any vehicle causing injury or damages be unknown, an action may be instituted against the unknown defendant as 'John Doe' and service of process may be made

by delivery of a copy of the motion for judgment or other pleadings to the clerk of the court in which the action is brought and service upon the insurance company issuing the policy shall be made as prescribed by law as though such insurance company were a party defendant. The insurance company shall have the right to file pleadings and take other action allowable by law in the name of John Doe.

(h) An insurer paying a claim under the endorsement or provisions required by paragraph (d) of this section shall be subrogated to the rights of the insured to whom such claim was paid against the person causing such injury, death or damage to the extent that payment was made; *provided*, that the bringing of an action against the unknown owner or operator as John Doe or the conclusion of such an action shall not constitute a bar to the insured, if the identity of the owner or operator who caused the injury or damages complained of becomes known, from bringing an action against the owner or operator theretofore proceeded against as John Doe; *provided*, that any recovery against such owner or operator shall be paid to the insurance company to the extent that such insurance company paid the named insured in the action brought against such owner or operator as John Doe, except that such insurance company shall pay its proportionate part of any reasonable costs and expense incurred in connection therewith including reasonable attorneys' fees. Nothing in an endorsement or provisions made under this paragraph nor any other provisions of law shall operate to prevent the joining in an action against John Doe of the owner or operator of the motor vehicle causing such injury as a party defendant and such joinder is hereby specifically authorized.

(i) No such endorsement or provisions shall contain any provision requiring arbitration of any claim arising under any such endorsement or provisions, nor may anything be required of the insured except the establishment of legal liability, nor shall the insured be restricted or prevented in any manner from employing legal counsel or instituting legal proceedings.

(j) The motor-vehicle liability policy shall state the name and address of the named insured, the coverage afforded by the policy, the premium charged therefor, the policy period, and the limits of liability, and shall contain an agreement or be endorsed that insurance is provided thereunder in accordance with the coverage defined in this act as respects bodily injury and death or property damage, or both, and is subject to all of the provisions of this act.

(k) The motor-vehicle liability policy need not insure any liability under the workmen's compensation law nor any liability on account of bodily injury to or death of an employee of the insured while engaged in the employment, other than domestic, of the insured, or while engaged in the operation, maintenance, or repair of the motor vehicle nor any liability for damage to property owned by, rented to, in charge of, or transported by the insured.

(l) Every motor-vehicle liability policy shall be subject to the following provisions which need not be contained therein:

1. The liability of the insurance carrier with respect to the insurance required by this act shall become absolute whenever injury or damage covered by the motor-vehicle liability policy occurs; the policy may not be cancelled or annulled as to the liability by any agreement between the insurance carrier and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of the policy shall defeat or void the policy.

2. The satisfaction by the insured of a judgment for the injury or damage shall not be a condition precedent to the right or duty of the insurance carrier to make payment on account of the injury or damage.

3. The insurance carrier shall have the right to settle any claim covered by the policy, and if the settlement is made in good faith, the amount thereof shall be deductible from the limits of liability specified in paragraph (c) of this section.

4. The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of this act shall constitute the entire contract between the parties.

(m) Any policy which grants the coverage required for a motor-vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor-vehicle liability policy and the excess or additional coverage shall not be subject to the provisions of this act. With respect to a policy which grants this excess or additional coverage the term 'motor-vehicle liability policy' shall apply only to that part of the coverage which is required by this section.

(n) Any motor-vehicle liability policy may provide that the insured shall reimburse the insurance carrier for any payment the insurance carrier would not have been obligated to make under the terms of the policy except for the provisions of this act.

(o) Any motor-vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(p) The requirements for a motor-vehicle liability policy may be fulfilled by the policies of one or more insurance carriers which policies together meet such requirements.

(q) Any binder issued pending the issuance of a motor-vehicle liability policy shall be considered as fulfilling the requirements for such policy."

SECTION 12. Subsections (a)(1) and (c) of Section 29 of Act 723 of 1952, amended—when proof of financial responsibility may be cancelled—re-establishment of.—Subsections (a) (1) and (c) of Section 29 of Act No. 723 of the Acts of 1952 are amended to read as follows:

"(a) 1. At any time after five years from the date the proof was required when, during the five year period preceding the request, the department has not received record of a conviction or a forfeiture of bail which would require or permit the suspension or revocation of the license, registration, or nonresident's operating privilege of the person by or for whom the proof was furnished; or

(c) Whenever any person whose proof has been cancelled, or returned under subdivision 3 of this section applies for a license or registration within a period of five years from the date proof was originally required, this application shall be refused unless the applicant shall re-establish the proof for the remainder of the five year period."

SECTION 13. Section 46-333, 1952 Code, amended—accident reports to be confidential—use of—disclosure of insurance information.—Section 46-333, Code of Laws of South Carolina, 1952, is amended to read as follows:

"Section 46-333. All accident reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the department or other State agencies having use for the records for accident prevention purposes. The department may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident and may upon request disclose to any person who has suffered injury to his person or property any information contained on any

report regarding the existence of insurance or other exceptions as required by Section 4 of Act 723 of 1952. No such report shall be used as evidence in any trial, civil, or criminal, arising out of an accident, except that the department shall furnish upon demand of any person who has, or claims to have, made such a report or upon demand of any court a certificate showing that a specified accident report has or has not been made to the department solely to prove a compliance or a failure to comply with the requirement that such a report be made to the department."

SECTION 14. Licenses of uninsured drivers who receive points for traffic violations to be revoked unless proof of financial responsibility established.—(a) The Highway Department, upon receipt of satisfactory evidence that any person has been convicted of a violation of any traffic law of this State for which four or more points are chargeable under the provisions of Act No. 168 of 1955, shall forthwith suspend the driver's license of such person and the registration of any motor vehicle owned by such person, or the privilege of such person to operate a motor vehicle in this State under any law of this State relating to nonresidents. Such license and registration, or privilege, shall remain suspended until such person shall file and maintain proof of financial responsibility for the future as required by Section 19 (a) or Section 24 of Act No. 723 of 1952. If such person is not licensed, or does not own a motor vehicle, no license shall thereafter be issued to him nor shall any motor vehicle be registered in his name until he shall give and thereafter maintain proof of financial responsibility.

(b) As used in this section, automobile liability policy or bond shall mean automobile liability policies or bonds meeting the minimum requirements of the Motor Vehicle Safety Responsibility Act.

(c) This section shall not apply to any of the following:

1. The operator if the owner had in effect at the time of the violation an automobile liability policy with respect to the motor vehicle being operated;
2. The operator, if not the owner of the motor vehicle, if there was in effect at the time of the violation of an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him;
3. The operator if the liability of the operator for damages resulting from any accident is, in the judgment of the Highway Depart-

ment, covered by any other form of liability insurance policy or bond;
or

4. Any person qualifying as a self-insurer under Section 34 of Act No. 723 of 1952.

(d) The term "conviction" as used in this act shall also include the entry of any plea of guilty or nolo contendere, and the forfeiture of any bail or collateral deposited to secure a defendant's appearance in court.

(e) Written notice of the suspension of any person's driver's license, motor vehicle registration or privilege, as provided herein, shall be given by the Highway Department at least ten days before the effective date of the suspension by depositing the notice in the United States mail with postage prepaid addressed to such person at the address contained in the records of the Highway Department. The giving of notice by mail is complete upon the expiration of four days after such deposit of such notice. A certificate by the Director of the Motor Vehicle Division that such notice has been sent as required herein shall be conclusive proof that the requirements as to notice of suspension have been met, although the notice might not actually have been received by the addressee.

(f) Any person whose license, registration, or privilege has been suspended under this act shall have the right to review and hearing as is provided in Section 5 (b) and Section 6 of Act No. 168 of 1955.

SECTION 15. Persons registering uninsured motor vehicles to pay fee of fifteen dollars—"uninsured motorists fund" to be created.—(a) In addition to any other fees prescribed by law, every person registering and licensing an uninsured motor vehicle, as hereinafter defined, in this State for or during the registration and license year commencing November 1, 1960, and each registration year thereafter, shall pay, at the time of registering and licensing the same, a fee of fifteen dollars. The Highway Department is authorized to require that any person applying for licensing and registration of a motor vehicle shall certify under the penalties set forth in paragraph (b) of this section whether or not each such motor vehicle is an insured motor vehicle as herein defined; or the Highway Department may, in its discretion, require that such person produce as evidence of financial responsibility a certificate, in form prescribed by the said Department, of insurance or self-insurance complying with the requirements of Section 34 of Act 723, Acts of 1952, or that such person shall have given bond or delivered the cash or securities as pro-

vided in Sections 24 and 25 of Act 723, Acts of 1952, respectively, or pay the fee herein prescribed.

(b) Any person knowingly making a false certificate as to whether a motor vehicle is an insured motor vehicle or presenting to the State Highway Department false evidence that any motor vehicle sought to be registered is insured, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars, or imprisoned for not less than ten days nor more than thirty days. The State Highway Department shall deny, for a period of six months, registration of any motor vehicle for which a false certificate or false evidence is presented that the vehicle is insured, and shall revoke, and not thereafter reissue for a period of six months, the driver's license of any person making such false certificate or offering such false evidence.

(c) As used in this Act, and Act 723, Acts of 1952, as amended, the term "insured motor vehicle" means a motor vehicle as to which there is bodily injury liability insurance and property damage liability insurance, both in the amounts specified in Section 21 of Act 723, Acts of 1952, as amended by this act, and as it may be amended from time to time, issued by an insurance carrier authorized to do business in this State, or as to which a bond has been given or cash or securities delivered in lieu of such insurance; or as to which the owner has qualified as a self-insured in accordance with the provisions of Section 34 of Act 723, Acts of 1952. The term "uninsured motor vehicle" means a motor vehicle as to which there is no such bodily injury liability insurance and property damage liability insurance or no such bond has been given or cash or securities delivered in lieu thereof, or the owner of which has not so qualified as a self-insurer.

(d) Upon the termination of insurance by cancellation or failure to renew, notice of such cancellation or other termination shall be filed by the insurer with the State Highway Department not later than five days following the effective date of such cancellation or other termination.

(e) The State Highway Department shall, upon receipt of the notice of cancellation or termination provided for in Paragraph (d) of this section, forthwith revoke the certificate of registration and license plates of the motor vehicle with respect to which such policy was theretofore in force, unless the owner thereof either gives evidence that such vehicle is an insured vehicle in the manner provided in

Paragraph (a) of this section or pays the fee provided for in said Paragraph (a) of this section.

(f) All funds collected by the State Highway Department under the provisions of this Section shall be deposited to the credit of the State Treasurer and monthly transferred to a special deposit fund to be known as the "Uninsured Motorists Fund" to be disbursed as provided in Section 16 of this Act.

SECTION 16. Fund to be supervised by Insurance Commissioner—distribution of funds.—(a) The Uninsured Motorists Fund provided for in Section 15 shall be under the supervision and control of the State Insurance Commissioner and shall be paid out, on warrants of the Comptroller issued on vouchers signed by the Insurance Commissioner or such persons as he shall designate, for the purpose of defraying the administration cost of this Act by the State Highway Department and for reducing the costs of the endorsement or provisions provided for in Paragraph (d) of Section 21 of Act 723, Acts of 1952, as amended by Section 11 of this Act, in the manner hereinafter set forth.

(b) The State Insurance Commissioner shall annually, at such time in each year as he shall deem best for the purposes, make distribution from the fund as follows:

1. To the State Highway Department, the amount certified by the said State Highway Department as the cost to said Department of its administration costs and expenses of administering this Act. These payments may be made on a quarterly basis.

2. Among the several insurance companies writing motor vehicle bodily injury and property damage insurance on motor vehicles registered in this State, the balance of such fund after taking out the administration costs to be paid to the State Highway Department. Distribution among the insurance companies shall be in the proportion that the premium income for the basic limits coverage of each insurance company (i. e., gross premiums less cancellation and return premiums) for the coverage required by Paragraph (d) of Section 21 of Act 723, Acts of 1952, as amended by Section 11 of this Act, bears to the total of such premium income for such coverage written in this State during the preceding year.

(c) Before distributing the funds among the insurance companies as provided for in this section, the State Insurance Commissioner shall annually first determine the proper rate, arrived at in the manner prescribed by the Insurance Commissioner to be charged by such companies for such endorsement or provision without regard to the

funds to be so distributed; the Insurance Commissioner shall then cause a reduction of the rate provided for such endorsement or provision in proportion to the funds to be distributed as provided herein. Should the amount in the Fund exceed the amount necessary to cover the entire cost to policyholders of the coverage required by Paragraph (d) of Section 21 of Act 723, Acts of 1952, as amended by Section 11 of this Act, or if for any other reason such funds, or any of them, cannot be so expended, the balance remaining in the Fund shall be held in reserve in the Uninsured Motorists Fund with the State Treasurer against years in which there might be a deficit. It is the intent of this section that each policyholder shall have the cost of such endorsement or provision reduced through such adjustment of rate, so far as possible, out of the funds collected from uninsured motorists and distributed as provided herein, and that such reduction in the cost of such endorsement is intended to serve as an added inducement to the uninsured motorist to procure insurance coverage. The amount payable to any such insurance company hereunder shall apply only to those companies maintaining records satisfactory to the Commissioner as will disclose loss experience under such endorsement.

(d) The State Insurance Commissioner shall have power to issue such rules and regulations as may be necessary to carry out the provisions and intent of this section.

SECTION 17. Not to repeal Title 46 of 1952 Code.—This act shall not repeal any provision contained in Title 46 of the Code of Laws of South Carolina, 1952, or amendments thereto, but shall be considered cumulative thereto.

SECTION 18. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. Time effective.—This act shall take effect on the first day of January, 1960.

Approved the 8th day of June, 1959.

Part II
LOCAL AND TEMPORARY

(R12, H1054)

No. 312

An Act To Amend Section 7 Of Part II Of Act No. 855 Of The Acts Of 1958 By Making Provision For The Continuance Of The Program Of Enlarging And Improving The State Highway Secondary System (Farm-To-Market Roads) Throughout The Present Fiscal Year By Means Of The Issuance Of State Highway Bonds, To Make Provision For The Payment Thereof, And To Prescribe The Manner Of Apportioning Moneys Derived From The Tax Levied Pursuant To Section 7 Remaining After Effecting Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Paragraphs E, F, G and H of Section 7, Part II, of Act 855 of 1958, amended—Highway Department may issue bonds for secondary system.—Paragraphs E, F, G and H of Section 7 of Part II of Act No. 855 of the Acts of 1958 are hereby amended by striking out the same and inserting in lieu thereof the following, which, upon the enactment of this act, shall become Paragraphs E, F, G and H of Section 7 of Part II of Act No. 855:

“(E) In order that the program of improvement of highways in the State Highway Secondary System (Farm-to-Market Roads) shall continue throughout the present fiscal year begun July 1, 1958, the State Highway Department shall make request embodying the information required by Code Section 33-254 to the Governor and the State Treasurer for the issuance of six million five hundred thousand dollars of State Highway Bonds, whose proceeds shall be expended on the State Highway Secondary System and apportioned among the several counties of the State in the manner provided by Paragraph (G) hereof. If such request be approved, the Governor and the State Treasurer shall be empowered to issue State Highway Bonds under the conditions prescribed by Chapter 4, of Title 33, Code of Laws of South Carolina for 1952, as amended, except that the last of the bonds shall mature not later than June 30, 1972, and, in addition to the pledge authorized by Section 33-284, such bonds shall be additionally secured by a pledge of the proceeds of the tax

levied by Sections (A), (B) and (C), *supra*. Such additional pledge shall not be exclusive and other obligations of the State hereinafter authorized by subsequent legislation may be secured by a pledge on a parity therewith.

“(F) In determining the amount of the sinking fund payments required by Section 33-265, Code of Laws of South Carolina, 1952, the additional revenue accruing to the State Highway Department, as provided hereby, shall not be considered.

“(G) For the fiscal years commencing July 1, 1959 and ending June 30, 1972, the moneys collected by the South Carolina Tax Commission, pursuant to the provisions of this section shall be deposited with the State Treasurer and applied to the payment of the principal and interest on the bonds authorized by Paragraph (E). Any sum that shall remain after effecting such payment shall be expended on the State Highway Secondary System and, together with any other funds made available for the purpose, shall be apportioned among the counties of the State in the following manner: One-third in the ratio which the land area of the county bears to the total land area of the State; one-third in the ratio which the population of the county bears to the total population of the State as shown by the latest official decennial census; and one-third in the ratio which the mileage of all rural public roads in the county bears to the total rural road mileage in the State as shown by the latest official records of the State Highway Department.

“(H) That during the fourteen-year period of this act the Farm-to-Market or State Secondary Highway Program shall each year be at least equal to the amount of revenue derived from the tax of one cent on motor fuel.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of January, 1959.

(R79, S17)

No. 313**A Joint Resolution To Establish A Commission To Commemorate The One-Hundredth Anniversary Of The Participation By The State Of South Carolina In The American War Between The Confederate States Of America, South, And The Federal Union Of The United States Of America, North, And For Other Related Purposes.**

Whereas, the years 1961-1965 will mark the centennial of the American War wherein the State of South Carolina participated as a part of the Confederate States of America, South, against the Federal Union of the United States, North, with steadfast devotion to duty and supreme loyalty to the cause; and

Whereas, South Carolina accepted at Appomattox the principle that the United States is one nation composed of an indissoluble union of indestructible states, each sovereign in their respective spheres under the Constitution of the United States as the supreme law of the land, except in those instances of rights reserved to the people and to the several states respectively; and

Whereas, the sons of South Carolina and the sons of the rest of the South have subsequently fought with intense loyalty side by side with the sons of the North to uphold the dignity of the individual, and for the rights of all persons to life, freedom, justice and equal opportunity to the end that such blessings shall henceforth abide among all people everywhere; and

Whereas, the designation, restoration, development and preservation of the battlefields and military parks and places of historic events in connection with the participation of South Carolina in the great American conflict, contemplate the acquisition of necessary lands for perpetual preservation of these locations and the furnishing of improvements to assure proper use of these historic places of valor and sacrifice; and

Whereas, it is incumbent upon the State of South Carolina to provide for the proper observances of the centennial years of this great war.

Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. South Carolina Confederate War Centennial Commission, established—members—advisory council—vacancies—

officers.—In order to provide for appropriate observances and the coordination of ceremonies, there is hereby established a commission to be known as the South Carolina Confederate War Centennial Commission, hereinafter referred to as the "Commission," which shall be composed of nine members as follows: The Governor shall be a member, *ex officio*; two members shall be appointed by the Speaker of the House of Representatives from the membership of the House; two members shall be appointed by the President of the Senate from the membership of the Senate; and four members, not present members of the General Assembly, shall be appointed by the Governor. The terms of the members, except that of the Governor, shall terminate on May 1, 1966.

The Commission may appoint honorary members, and shall establish an advisory council composed of such persons as it deems especially interested in the celebration of the centennial, to assist in its work.

Appointments provided for in this section, with the exception of honorary members, shall be made within ninety days from the date of this act. Vacancies shall be filled in the same manner as the original appointments. Upon its appointment the Commission shall organize by electing from its membership a chairman, a vice-chairman, and such other officers as the Commission shall determine are necessary.

SECTION 2. Program and plans—awards.—It shall be the duty of the Commission to prepare an overall program to include specific plans for commemorating the one-hundredth anniversary of the participation of the State of South Carolina in the great American War Between the Confederate States of America, South, and the Federal Union of the United States of America, North. In preparing its plans and programs, the Commission shall cooperate with and give due consideration to any similar and related plans advanced by the Centennial Commission of the United States and by state, civic, patriotic, hereditary and historical bodies, and may designate special committees with representation from the above-mentioned bodies to plan and conduct specific ceremonies.

The Commission may give suitable recognition, such as the award of medals and certificates, or by other appropriate means, to persons and organizations for outstanding accomplishments in preserving and writing the history of the great American War Between the States.

SECTION 3. Programs to be conducted at each battlefield.—In order to conduct effectively centennial observances on the battle-

fields and related historic sites, the Commission is authorized and directed to conduct programs at such times and in such manner as will insure that fitting observance may be held at each such battlefield or site as its centennial occurs during the period 1961-1965.

SECTION 4. Governor requested to issue proclamations.—The Governor of the State of South Carolina is requested to issue proclamations requesting the people of the State of South Carolina and of the United States to participate in and observe the centennial anniversaries of the significant historic events, the commemorations of which are provided for herein.

SECTION 5. Accept donations—cooperate with other groups.—The Commission is authorized to accept donations of money, property or personal services; to cooperate with national, state, civic, patriotic, hereditary and historical groups and institutions of learning; and to call upon state departments or agencies for their advice and assistance in carrying out the purposes of this act.

SECTION 6. Disposition of books and records.—All books, manuscripts, miscellaneous printed matter, memorabilia, relics and other materials relating to the War Between the States, and donated to the Commission, shall be disposed of by the Commission after consultation with the South Carolina Archives Department.

SECTION 7. Procure supplies—expend funds—exercise powers.—The Commission, to such extent as it finds to be necessary and within the limits of funds available, may without regard to the laws and procedures applicable to state agencies, procure supplies, services and property and make contracts, and expend in furtherance of this act funds donated or funds received and may, within the limits of statutory authority, exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this act.

SECTION 8. State Assembly to be called.—The Commission shall call, at a place of meeting generally convenient, and not later than June 1, 1959, a State Assembly of representatives of civic, patriotic and historical groups whose duty it shall be to consider and make recommendations to the Commission for the most fitting and appropriate way to commemorate the observance of the centennial of the American War Between the States. The Governor may appoint representatives to the Assembly. When this Assembly shall have made

its recommendations, it shall be adjourned subject to the call of the Commission.

SECTION 9. Reports to General Assembly.—A report shall be submitted to the General Assembly of the State of South Carolina not later than the convening day of the General Assembly of 1960, presenting the plans of the Commission with suitable recommendations in the premises. Thereafter, an annual report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the General Assembly. A final report shall be made to the General Assembly of the State of South Carolina no later than May 1, 1966, upon which date the Commission shall be dissolved and all duties required of it shall terminate.

SECTION 10. Disposition of property and revenues upon termination of Commission.—Any property acquired by the Commission and being in its hands upon its termination may be used by the State or may be disposed of as surplus property. The net revenues, after payment of the Commission expenses, shall be deposited in the General Fund of the State.

SECTION 11. Members to serve without compensation—employ director and secretary.—The members of the Commission shall serve without compensation. The Commission may employ a director and a secretary who shall devote full time to the work of the Commission and shall perform such duties as the Commission may direct. The director and secretary shall receive such compensation as shall be fixed by law.

SECTION 12. Members not to be considered as employees or officials of State.—Service of an individual as a member of the Commission shall not be considered as service or employment bringing such individual within the provisions of law concerning the prohibiting of such service; nor shall any member of the Commission, by reason of his status as such, be deemed an officer of the government within the meaning of dual office holding, as prohibited by the Constitution and laws of South Carolina.

SECTION 13. Status of retired officers not to be affected by employment or membership on Commission.—Notwithstanding any provision of law to the contrary, the Chairman of the Commission may appoint or employ any retired officer in any civilian office or po-

sition in the Commission, and may pay any such retired officer if funds are available for such purpose. The retired status, office, rank or grade of retired officers so appointed or employed, except as provided by law, and any emolument, prerequisite, right, privilege or benefit incident to or arising out of any such status, office, rank, or grade, shall in no way be affected by reason of such appointment or employment in any civilian office or position in the Commission or the receipt of the pay thereof.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of February, 1959.

(R84, S88)

No. 314

An Act To Authorize The Secretary Of State To Restore The Charter To The Trans-South Corporation.

Whereas, the General Assembly on February 5, 1959, by Concurrent Resolution No. S-65, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Trans-South Corporation. Now, therefore, Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of Trans-South Corporation may be restored—conditions.—Authority is hereby granted to the Secretary of State to restore the charter of the Trans-South Corporation, which was cancelled in 1955, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the cancelled charter, and the clerk of court shall note the same upon the record of the original charter, and thereupon said charter shall be reinstated and all acts of the corporation during its period of cancellation shall be as effective as if said charter had never been cancelled.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 26th day of February, 1959.

(R123, S111)

No. 315

An Act To Validate The Results Of The Referenda Held On December 15, 1958, Relating To The Annual Assessment On Tobacco Acreage For The Years 1959, 1960 And 1961, And To Empower The Members Of The Board Of Directors Of Tobacco Associates, Incorporated, With The Approval Of A Majority Of The South Carolina Board Of Directors, To Assess Tobacco Acreage For Such Three Year Period In An Amount Not To Exceed Forty Cents Per Acre.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Results of referenda concerning tobacco acreage assessment validated—assessment.—The results of the referenda held on December 15, 1958 which were favorable to an annual acreage assessment of ten cents per acre on the tobacco planted for the three year period of 1959, 1960 and 1961, and which also were favorable to allowing the South Carolina members of the board of directors of Tobacco Associates, Incorporated, to assess, annually, tobacco acreage planted for the three year period of 1959, 1960 and 1961 in an amount not to exceed forty cents per acre, if permitted by an act of the General Assembly of the State of South Carolina, are validated and the members of the board of directors of Tobacco Associates, Incorporated, subject to the approval of the majority of the South Carolina members of such board of directors, are authorized to assess, annually, tobacco acreage planted for the three year period of 1959, 1960 and 1961 in an amount not to exceed forty cents per acre, for expansion of export markets, commencing with the first sale of tobacco in 1959.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R139, S138)

No. 316

An Act To Authorize The Secretary Of State To Restore The Charter Of Hall-Berkeley Corporation, Berkeley County, South Carolina.

Whereas, the General Assembly on February 25, 1959, by Concurrent Resolution S-114, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Hall-Berkeley Corporation, Berkeley County, South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of Hall-Berkeley Corporation may be restored—conditions.—Authority is hereby granted to the Secretary of State to restore the charter of the Hall-Berkeley Corporation, Berkeley County, South Carolina, which was cancelled in 1955, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original charter was granted of the reinstating of the forfeited charter, and the clerk of court shall note the same upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R156, H1290)

No. 317

An Act To Authorize The Board Of Trustees Of Whitten Village To Convey Certain Lands To The International Paper Company In Exchange For Lands Owned By That Paper Company.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Whitten Village may exchange land with International Paper Co.—The Board of Trustees of Whitten Village in Laurens County is hereby authorized to convey to the International Paper Company a certain tract of land, ten acres more or less, known as a part of the W. M. Ferguson Tract, located near Hurricane Church and adjoining lands owned by the International Paper Company and lands owned by Whitten Village, as shown in deed of W. M. Ferguson to State Training School for the Feebleminded on May 24, 1919, recorded in Book 40, Page 574, office of the Clerk of Court of Laurens County, and shown on Plat Book No. 1, Page 115, as a trade for fifteen acres, more or less, said fifteen acres being creekland now owned by the International Paper Company, being triangular in shape and bordered on the west by Copeland Creek and land owned by Whitten Village, on the north by land owned by George Cornelson, Jr., and on the east by land owned by the International Paper Company, and being bisected by the new four-lane highway, subject to final survey, with metes and bounds to be prescribed in deeds of conveyance by the two above named parties.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R157, H1291)

No. 318

An Act To Authorize The State Treasurer To Pay To Whitten Village The Sum Of Seven Thousand Four Hundred Ninety-Three Dollars And Nineteen Cents, Which Sum Represents Payment For Certain Real Estate Acquired By The State Highway Department From Whitten Village.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Whitten Village to receive money for property acquired by Highway Department.—The State Treasurer is hereby authorized to pay and Whitten Village is hereby authorized to accept the sum of seven thousand four hundred ninety-three dollars and nineteen cents, which represents the sum which was received from the State Highway Department and deposited in the State Treasury as payment for real estate acquired by the Highway Department for a four-lane highway passing through the property of Whitten Village and damages which were assessed as a result. Whitten Village is authorized to use the sum provided for herein as payment for land purchased for use of the Village.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R171, S18)

No. 319

A Joint Resolution To Provide For The Appointment Of A Committee To Make A Study Of Matters Pertaining To The Peaceful Uses Of Atomic Energy, The Control Of Air And Water Pollution, And The Use Of Radioactive Materials.

Whereas, the development and utilization of atomic energy for peaceful purposes is increasing and industrial establishments for such purposes will shortly be located in this State; and

Whereas, the commercial, agricultural and medical use of fissionable materials and radioactive matter is on the increase; and

Whereas, the steady industrial growth of the State of South Carolina, bringing with it increasing population densities in many areas, is presenting an increasingly complex problem with relation to the proper care of the atmosphere and the waters of the State; and

Whereas, it is desirable that proper and necessary measures be taken to protect the lives and health of the people of South Carolina, and to protect and insure the continued good condition of their

waterways and the atmospheric conditions of the State where they may be affected by reason of the use of fissionable materials and radioactive matter; and

Whereas, it is also desirable and necessary that proper measures be taken to insure, permit and encourage the orderly and safe use of fissionable materials and radioactive matter by industry, business, agriculture, medicine and others properly utilizing the same. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Committee created—members—officers.—There is hereby created a committee of eleven members, three of whom shall be members of the Senate to be appointed by the President of the Senate, three of whom shall be members of the House of Representatives to be appointed by the Speaker of the House, and five members to be appointed by the Governor as follows: one to represent industry and business; one to represent banking; one to represent labor; one to represent agriculture; and one to represent the medical profession. None of the Governor's appointees shall be members of the Legislature. At its first meeting the committee shall organize by selecting from its membership a chairman, vice-chairman, secretary and such other officers as the committee may determine.

SECTION 2. Duties.—The committee shall institute and pursue a study of the development and utilization of atomic energy, and the sundry by-products of nuclear fission and fusion for peaceful purposes, the control of air and water pollution, and shall report what legislation, if any, is necessary to encourage participation in the development and utilization of atomic energy, fissionable materials, radioactive matter and related subjects for peaceful purposes to the maximum extent compatible with the security, the health and safety of the public, including but not limited to the necessity and desirability, if any, of measures for control of dangers to the public or amelioration of damages resulting therefrom. The committee shall also consider the relative responsibility of the State and its respective subdivisions thereto with relation to all such matters and all agencies of the State shall assist the committee in its study.

SECTION 3. Appropriation.—The sum of five hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the general fund of the State to cover the expenses of the committee in

making its study and preparing its report. The members of the committee shall be allowed the usual per diem and mileage as provided by law.

SECTION 4. Report.—The committee shall complete its study and make its report to the Governor and the General Assembly not later than January 1, 1960. Upon making such report, the committee shall forthwith be disbanded.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R172, S46)

No. 320

An Act To Promote Major General James C. Dozier To The Rank Of Lieutenant General, Upon His Retirement.

Whereas, General James C. Dozier has been affiliated with the South Carolina National Guard since 1904; and

Whereas, he enlisted as a private in the National Guard, and has served as First Sergeant, Platoon Leader, Company Commander and Battalion Commander; and

Whereas, General Dozier, then a First Lieutenant, won the Congressional Medal of Honor for heroism on the battle fields of France; and

Whereas, General Dozier has served the people of the State of South Carolina with great zeal and diligence for thirty-three years as the Adjutant and Inspector General of this State; and

Whereas, General Dozier is retiring and the members of the General Assembly wish to give evidence of their esteem and admiration for this heroic and devoted South Carolinian. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Major General James C. Dozier promoted to Lieutenant General.—Major General James C. Dozier is promoted to the

rank of Lieutenant General of the South Carolina National Guard, upon his retirement from the office of Adjutant and Inspector General.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R173, S118)

No. 321

An Act To Empower The Board Of Trustees Of The Medical College Of South Carolina To Construct A Laboratory And Quarters For Animals On Land Belonging To The Medical College Situate On James Island In The County Of Charleston.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Medical College may construct building for animals—conditions.—If grants and donations sufficient to defray the cost of constructing and equipping a suitable structure wherein to house a laboratory for the Department of Anatomy of the Medical College of South Carolina and to provide suitable quarters for animals used by the Medical College for experimental purposes, can be obtained, the Board of Trustees of the Medical College shall be empowered to construct and equip such a structure on lands of the Medical College located on James Island in Charleston County which formerly constituted a part of a U. S. Public Health Quarantine Station.

SECTION 2. Further.—The board of trustees shall be empowered to engage architects and engineers and to enter into suitable contracts for constructing and equipping the building or structure herein authorized only if it shall be found that the same can be accomplished through the means of grants and donations made to the college from sources other than from the State itself and each and every contract shall specifically provide that no liability shall attach to the State of South Carolina or to the Medical College by reason of such contracts except from the grants and donations received for such purpose.

SECTION 3. To be maintained by Medical College.—Upon the completion of the structure the same shall be maintained by the board of trustees of the college in the same manner as other buildings and properties of the Medical College are maintained.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R208, H1292)

No. 322

An Act To Authorize The State Educational Finance Commission To Enter Into An Agreement For Conveyance Of Real Property To The Commission For Use As A School Bus Maintenance Shop, And To Provide For Payment Thereof; And To Authorize The State Budget And Control Board To Make A Loan To The State Educational Finance Commission For School Bus Maintenance And Supply Stations, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Educational Finance Commission—borrow money from Budget and Control Board.—In order to provide such funds as may be needed by the State Educational Finance Commission prior to July 1, 1959, for the purchase of land, the constructing and equipping of school bus maintenance and supply stations, the State Budget and Control Board is authorized to lend the Commission such sums as may be needed for that purpose, but not in excess of five hundred thousand dollars. Loans may be made from any funds whose management is vested in the State Budget and Control Board, at such rate of interest as may be agreed upon by the Board and the Commission, and shall be repaid July 1, 1959, out of funds appropriated to the Commission for the operation of school buses for the year 1959-60.

SECTION 2. Accept property for school bus maintenance shops.—The State Educational Finance Commission is authorized to enter into an installment payment agreement with any political

subdivision offering to convey real property to the Commission for use as a school bus maintenance shop, whereby payments for such property may be extended over a period of not more than ten years.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R214, H1392)

No. 323

An Act To Appropriate Not Exceeding Four Hundred Thousand Dollars Out Of Certain Funds Made Available Under The Employment Security Administrative Financing Act Of 1954, For The Purpose Of Acquisition Of Land And The Construction Of Office Buildings Thereon For The Use Of The South Carolina Employment Security Commission.

Whereas, the Congress of the United States by the passage of the Employment Security Administrative Financing Act of 1954, being Chapter 657, Public Law 567, 83rd Congress, 2nd session, has made available to the several states certain funds derived from collections under the Federal Unemployment Tax Act, which may be used by the states, among other things, for the acquisition and construction of state buildings to be used solely for the use of the respective state employment security departments; and

Whereas, it is the considered judgment of the General Assembly that the most economical and advantageous use which can be made of the funds provided for in such act, and made available to the State of South Carolina, is to continue the established plan whereby the Employment Security Commission of this State can, over a period of years, be provided with permanent locations of an adequate nature to house the various offices of the Commission throughout the State; and

Whereas, the funds now available to the State of South Carolina, or which may be available within the next fiscal year, are not adequate to provide proper housing for all of the locations where the Employ-

ment Security Commission of this State has its offices, it is further the considered judgment of the General Assembly that the most pressing needs for such offices are within the corporate limits of the Cities of Greenville, Orangeburg and Newberry. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation for new Employment Security Commission Buildings—obligations of money.—There is hereby appropriated to the South Carolina Employment Security Commission a sum not to exceed four hundred thousand dollars out of the funds made available to this State under the Employment Security Administrative Financing Act of 1954, Chapter 657, Public Law 567, 83rd Congress, 2nd session, which shall be expended solely as provided in Section 2 hereof for the acquisition of land and construction thereon of modern office buildings designed for the South Carolina Employment Security Commission operations, and to finance the designing and construction of such buildings, including such equipment, facilities, paving, landscaping and other improvements as may be required for the proper use and operation of such building projects after their completion, or such funds may be expended for the purchase of land and buildings appropriate for offices of the South Carolina Employment Security Commission and all necessary expenses incidental thereto. No part of the money hereby appropriated may be obligated after the expiration of the two year period beginning with the date of enactment of this act. The amount obligated pursuant to this act during any twelve month period beginning on July first and ending on the next June thirtieth shall not exceed the amount by which (a) the aggregate of the amounts credited to the account of this State pursuant to Section 903 of the Social Security Act during such twelve month period and the four preceding twelve month periods exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of this State during such five twelve month periods.

SECTION 2. How appropriation to be divided.—The sum appropriated in Section 1 shall be divided in the following manner and for the following purposes; up to two hundred twenty-five thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing

building, in the City of Greenville; up to one hundred thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing building, in the City of Orangeburg; and up to seventy-five thousand dollars of such sum shall be used to acquire land and construct buildings, or to acquire land upon which is located a suitable existing building, in the City of Newberry.

SECTION 3. Money to be deposited in separate account—unexpended funds.—Any moneys requisitioned and withdrawn by the Commission under the provisions of Section 1 of this act, shall be deposited in a separate account in this State's Employment Security Administration Fund, but such moneys until expended shall remain a part of the Unemployment Trust Fund. The Commission shall maintain a separate record of the deposit, obligation, expenditure, and the return of funds so deposited. Any money so deposited which either will not be obligated within the period specified in Section 1 of this act or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this State in the Unemployment Trust Fund.

SECTION 4. Powers and duties.—The Commission may employ such necessary appraisers, architects, engineers and contractors, and may execute all contracts necessary to effectuate the declared purposes of this act, including the acquisition of the necessary real estate for offices, which real property shall be acquired in the name of the South Carolina Employment Security Commission and used exclusively thereafter for providing facilities for the Commission.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R222, H1190)

No. 324

An Act To Make Supplemental Appropriations To The State Commission Of Forestry For The Fiscal Year 1958-1959 For The Operation Of The Ridge Forest Tree Nursery And For The Purchase Of Certain Lands In Manchester State Forest; And To Make Supplemental Appropriations For The Legislative Department And To Defray The Amounts Due For Installments For Printing The Code Of Laws Of South Carolina, 1962.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the General Fund of the State to the State Commission of Forestry for the fiscal year 1958-1959 the following sums of money, if so much be necessary, for the purposes designated:

Item 1. For operation of Ridge Forest Tree Nursery in Edgefield County	\$ 86,400.00
Item 2. For the purchase of a 25-acre adverse tract of land lying within Manchester State Forest, Sumter County	1,200.00
Total	\$ 87,600.00

SECTION 2 There is hereby appropriated from the General Fund of the State the following sums to supplement appropriations heretofore made for the fiscal year 1958-1959 and to pay the amounts due for installments for printing the Code of Laws of South Carolina, 1962, due July 1, 1959 and December 1, 1959:

Legislative Department:

Item 1. The Senate:	
Subsistence	\$ 1,000.00
Mileage and Stationery	4,000.00
Approved Accounts	70,000.00
Total, Item 1	\$ 75,000.00
Item 2. House of Representatives:	
Subsistence	2,200.00
Mileage and Stationery	7,500.00
Approved Accounts	70,000.00
Total, Item 2	\$ 79,700.00

Item 4. Codification of Laws and Legislative Council:	
Approved Accounts	\$ 25,000.00
Installments for Printing Code of Laws of South Carolina, 1962 to be paid July 1, 1959, and December 1, 1959	\$ 50,000.00
Total, Item 4	\$ 75,000.00
TOTAL	\$229,700.00

SECTION 3. All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R253, H1467)

No. 325

An Act To Authorize The Secretary Of State To Restore The Charter Of The Greenville Mercantile Company, Incorporated, Greenville County, South Carolina.

Whereas, the General Assembly on March 24, 1959, by Concurrent Resolution H-1415, pursuant to the requirements of the Constitution of South Carolina, 1895, Article 9, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the charter of the Greenville Mercantile Company, Incorporated, Greenville County, South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Charter of the Greenville Mercantile Company, Incorporated, to be restored—taxes, penalties and interest to be paid.—Authority is hereby granted to the Secretary of State to restore the charter of the Greenville Mercantile Company, Incorporated, Greenville County, South Carolina, which was cancelled in 1951, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the

county in which the original charter was granted of the reinstating of the forfeited charter and the clerk of court shall note the same upon the record of the original charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R266, H1434)

No. 326

An Act To Authorize The Board Of Trustees Of Clemson Agricultural College To Expend For Certain Purposes In Accordance With Plans Of The Trustees, The Funds Received From The United States Government For Certain Lands Of The College.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Clemson College may expend funds received on Federally condemned lands for certain purposes.—The Board of Trustees of Clemson Agricultural College is hereby authorized to expend the funds received from the United States Government for certain lands of the College condemned by the United States for the Hartwell Dam Project, after the payment of such expenses as were incurred pursuant to the terms of Act No. 930 of 1956, and such funds shall be expended for the following purposes:

(a) To invest in water, power and sewer lines and facilities all sums received for the taking of or damage to such lines and facilities.

(b) To invest all sums received for land owned in trust under the will of Thomas G. Clemson in other lands, subject to the same trusts.

(c) To expend all sums received for lands deeded to the College by the United States:

(1) To develop and improve remaining lands acquired from the United States, including erecting structures upon them to replace structures being taken.

(2) To improve other lands owned by the College for use in its agricultural program.

(3) To acquire additional lands to the extent needed in the opinion of the Board of Trustees of the College upon which agricultural programs can be conducted, when the remaining lands of the College are not suitable or adequate.

(4) To develop and improve the lands so acquired and to erect thereon the structures required for their proper operation and management.

(d) To use any other sums received to the extent found by the Board of Trustees to be reasonably necessary in the agricultural and research program of the College.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R286, H1388)

No. 327

An Act To Authorize The State Educational Finance Commission To Borrow From The Division Of Sinking Funds And Property Certain Sums Of Money For The Purpose Of Purchasing School Bus Equipment; To Prescribe The Conditions Under Which Such Indebtedness Shall Be Incurred And To Make Provision For Repayment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State Educational Finance Commission may borrow money to purchase school bus equipment.—The State Educational Finance Commission is empowered to borrow, and the Division of Sinking Funds and Property is empowered and directed to lend to the State Educational Finance Commission, such sums of money as the State Educational Finance Commission shall require to enable it to effect purchases of school bus equipment, *provided*, that the aggregate of such indebtedness to be outstanding shall not at any time exceed one million five hundred thousand dollars. The indebtedness shall be repayable not later than one year from the occasion that it shall be incurred, and shall

be incurred only to the extent that the aggregate of such indebtedness, plus the other indebtedness incurred pursuant to Article 6 of Chapter 15 Title 29, Code of Laws of South Carolina, 1952, as amended, for school bus equipment, shall not exceed, on the date that such indebtedness shall mature, the limit prescribed by Section 21-996, Code of Laws of South Carolina, 1952, as amended, for outstanding bonded indebtedness incurred for the purpose of school bus equipment, it being intended that notwithstanding that the aggregate of indebtedness prescribed for school bus equipment may be increased through the incurring of indebtedness pursuant to this act to an extent which may, on the occasion that the short term indebtedness herein authorized shall be incurred, exceed the limit prescribed for bonded debt to be outstanding for school bus equipment, the limit established by Section 21-966, as amended, shall not be otherwise exceeded.

SECTION 2. Form and interest.—The indebtedness incurred pursuant to this act shall be in such form and shall bear such rate of interest as may be agreed upon between the State Budget and Control Board and the State Educational Finance Commission.

SECTION 3. Payment.—For the payment of the indebtedness and the interest to accrue thereon, the principal proceeds of the next bonds to be issued pursuant to Article 6 of Chapter 15, Title 29, for school purposes shall be pledged and on the occasion that such further school bonds shall be issued pursuant thereto, sufficient of the proceeds thereof shall be used to retire such indebtedness, both principal and interest.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6 day of May, 1959.

A Joint Resolution To Continue The Work Of The Joint Committee Appointed Pursuant To Act No. 373 Of 1955 And Continued By Act No 931 Of 1956, Act No. 452 Of 1957 And Act No. 986 Of 1958 To Study The Forestry Problems In The State.

Whereas, a joint committee was appointed pursuant to Act No. 373 of 1955 to study the forest fire problems of the State; and

Whereas, the committee was continued by Act No. 931 of 1956, Act No. 452 of 1957 and Act No. 986 of 1958; and

Whereas, the committee has not completed its work due to the many complex and innumerable problems involved; and

Whereas, the forestry industry and woods products have an annual value of many millions of dollars and are second only to the textile industry in economic importance to South Carolina. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Forestry Study Committee continued—report.—

The committee appointed pursuant to Act No. 373 of 1955 and continued by Act No. 931 of 1956, Act No. 452 of 1957 and Act No. 986 of 1958 to study the forestry problems of this State shall be continued and the committee shall report its findings at the session of the General Assembly of 1960.

SECTION 2. Appropriation—per diem and mileage.—The sum of two thousand five hundred dollars, or so much thereof as may be necessary, is hereby appropriated from the General Fund of the State to cover the expenses of the committee in making its study and preparing its report. Members of the committee shall receive a per diem of ten dollars and the travel allowance allowed to other persons engaged in the business of the State when engaged in the exercise of their duties as members of the committee. All warrants drawn upon the appropriations made in this section shall bear the signature of the chairman of the committee.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R331, H1379)

No. 329

An Act To Transfer Title And Possession To The Dock And Walkway Owned By The State Of South Carolina In Georgetown County To The South Carolina Association Of Future Farmers Of America; To Permit Such Association To Use The Property Of The State Of South Carolina Upon Which Such Dock And Walkway Are Situate, And To Permit Such Association To Purchase, Erect Or Maintain A Walkway Between Lands Of Such Association And Such Dock Over Such Lands As May Be Owned By The State Of South Carolina.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. South Carolina Association of F. F. A. given title by State to dock and walkway in Georgetown County.—The State of South Carolina hereby transfers title and possession to the South Carolina Association of Future Farmers of America, its successors or assigns, in and to the dock and walkway situate in the waters of Murrells Inlet Salt Water Creek in Georgetown County and presently being used by the South Carolina Association of Future Farmers of America, together with all pilings, timbers and other materials attached to such dock.

SECTION 2. Permission to use certain property of State and to do certain acts thereon granted F. F. A.—The State of South Carolina hereby grants permission to the South Carolina Association of Future Farmers of America, its successors or assigns, to use that property of the State of South Carolina upon which the dock and walkway referred to in Section 1 of this act are situate, and the State of South Carolina also grants permission to the South Carolina Association of Future Farmers of America, its successors or assigns, to dredge and maintain a channel, to erect and maintain a causeway, and to erect or maintain a walkway over and upon lands belonging to the State of South Carolina which lie between the property of the South Carolina Association of Future Farmers of America on Highway No. 17 at Murrells Inlet, in Georgetown County, commonly referred to as the old FFA Camp, and the dock referred to in this act.

SECTION 3. Fee simple title not granted.—The provisions of this act shall not be construed so as to grant fee simple title to any real property owned by the State of South Carolina.

SECTION 4. Roads not to be closed or ingress or egress denied.

—The provisions of this act shall not be construed so as to close any existing road or right of way¹ above the high water mark, nor shall they be construed so as to deny the general public the right of ingress or egress to the salt water marsh of Murrells Inlet which they now possess.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R332, H1441)

No. 330

An Act To Appropriate The Sum Of Fifteen Thousand Dollars From The General Fund Of The State For The Medical College Of South Carolina, To Be Used For Heart Surgery, Heart Surgery Laboratory And Heart Surgery Hospitalization For Residents Of The State Who Are Medically Indigent.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation for Medical College for services to indigent persons.—There is hereby appropriated from the General Fund of the State the sum of fifteen thousand dollars for the Cardiac Clinic of the Medical College of South Carolina, to be used for heart catheterization, heart surgery laboratory and heart surgery. These funds shall be used to defray hospitalization expenses for patients who are residents of South Carolina who have been certified as medically indigent by the Department of Public Welfare. The necessity for admission of such patients to the Medical College Hospital shall be certified by the Director of the Cardiac Clinic of the South Carolina Medical College. Any portion of the original sum remaining unused at the end of any fiscal year shall be carried over from year to year until the entire sum is expended for the purposes herein provided.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R364, S285)

No. 331

A Joint Resolution To Continue The Study Of The Retirement System Of Peace Officers Of The State Under The Statute Establishing The Police Insurance And Annuity Fund Pursuant To Joint Resolution No. 932 Of 1956, And To Provide For Their Expenses.

Whereas, a joint committee was appointed under authority of S-485 of 1954 to study the retirement system of peace officers of the State under the statute establishing the Police Insurance and Annuity Fund; and

Whereas, the committee has not completed its work and it is deemed advisable for the committee to continue its study. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Committee to study retirement system of Peace Officers continued—report.—The committee appointed pursuant to S-485 of 1954 and continued under authority of Joint Resolution Nos. 369 of 1955, 932 of 1956, S-467 of 1957 and 997 of 1958, shall be continued for the purpose of further study of such retirement system as may be necessary, and such committee shall report its findings and recommendations at the session of the General Assembly of 1960.

SECTION 2. Per diem and mileage.—Members of the committee shall receive a per diem of ten dollars and travel allowance allowed to other persons engaged in the business of the State when engaged in the exercise of their duties as members of the committee. To defray the costs and expenses of the committee, the sum of five thousand dollars is hereby appropriated from the General Fund of the State, which shall be payable on warrants when duly signed by the chairman of the committee.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R384, H1299)

No. 332

An Act To Authorize The State Highway Department To Contract With The Hilton Head Toll Bridge Authority For The Acquisition Of The Toll Bridge System Of The Authority; To Assume The Obligations Of The Authority And To Authorize The State Highway Department To Charge Tolls Until December 1, 1959.

Whereas, by Act No. 267 of 1953, the Hilton Head Toll Bridge Authority, hereafter called the "Authority", was created and empowered to finance, construct and operate a toll bridge system from the mainland of Beaufort County to Hilton Head Island in Beaufort County, in order that vehicular traffic might proceed to and from Hilton Head Island and the mainland without the need of ferry service; and

Whereas, in pursuance of such authorization, the Authority issued one million five hundred thousand dollars of toll bridge system revenue bonds, hereafter called "toll bridge revenue bonds" dated December 1, 1954, maturing December first in each of the years 1958 to 1984, inclusive, and bearing interest at the rate of four and three-fourths per cent per annum; and

Whereas, the Authority has paid off twenty thousand dollars of such bonds which matured on December 1, 1958, and there is now outstanding and unpaid a total of one million four hundred eighty thousand dollars of such bonds; and

Whereas, of such toll bridge revenue bonds, those maturing subsequent to December 1, 1959, are subject to redemption on December 1, 1959, and all subsequent interest payment dates, at par, plus accrued interest to date of redemption, plus a redemption premium of five per cent of each such bond redeemed; and

Whereas, with the proceeds of such bonds, the toll bridges intended by such act to be constructed were constructed and are now being operated by the Authority; and

Whereas, the Authority was created and empowered as above recited as the surest means of providing road access to Hilton Head Island, it having been always intended that on or before the occasion when the indebtedness so incurred should be repaid, the toll bridge system should become a part of the State Highway System and operated by the State Highway Department, without toll or other charge; and

Whereas, it appears that if the operation of the toll bridge system be assumed by the State Highway Department, economics in operation may be effected with the result that the toll bridge system may be freed from tolls in the near future; and

Whereas, it is desirable that the State Highway Department and the Authority should be empowered to contract for the acquisition by the State Highway Department of the toll bridge system of the Authority, to authorize the State Highway Department to continue to operate such bridges as a toll bridge system, to prescribe the tolls to be charged by the State Highway Department following its acquisition, and to provide when the bridge system be operated free of toll. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Highway Department to contract with Hilton Head Toll Bridge Authority to acquire bridge.—The Hilton Head Toll Bridge Authority and the State Highway Department are authorized and empowered to contract and agree that the State Highway Department in consideration of the undertakings referred to in Section 2 of this act shall acquire all property, tangible or intangible, of any sort that the Authority possesses, including its toll bridge system, on any date following enactment of this act.

SECTION 2. Highway Department to assume obligations of Authority—duties of certain private interests.—If the State Highway Department shall elect to effect the acquisition authorized by Section 1 of this act, it shall agree that upon its being vested with title to all property of the Authority, that it shall assume the payment in full of all liabilities of the Authority including all sums to become due by way of principal, interest and redemption premium on the one million four hundred and eighty thousand dollars toll bridge revenue bonds of the Authority, dated December 1, 1954, now outstanding, and more fully described in the preamble of this act. Payment of the sums to become due on such bonds shall be made from (a) moneys set aside by the

Authority for such purposes; (b) the net proceeds of tolls derived from the operation of the toll bridge system; and (c) to the extent of any deficiency, from the State Highway funds referred to in Chapter 4, Title 33, Code of Laws of South Carolina, 1952, as amended, allocated for the purposes of the State Highway Department. It is the intent of this section that the obligation of the State Highway Department to effect payment of the principal and interest of such bonds shall be absolute and shall be on a parity with the obligations incurred by the State Highway Department to reimburse counties, or highway or bridge districts, that have advanced moneys for the construction of State Highways and known generally by the term "reimbursement agreements", and for the purposes of Item (3) of Section 33-253 shall be deemed a reimbursement agreement, provided that:

(1) The State Highway Department shall require the private interests developing the Island to fulfill the undertaking made to the Authority that tolls from the schedule now in effect shall produce for the period ending June 30, 1959 not less than a certain minimum specified in such undertaking; and

(2) The State Highway Department shall also require such private interests to pay to the State Highway Department the sum of thirty thousand dollars. Such payment reflects an agreement between representatives of the State Highway Department and the private interests as to the difference between the cost of the properties to be acquired by the State Highway Department and the estimated net liabilities to be assumed by the State Highway Department pursuant to this act. The payment shall be made on or before November 15, 1959, and, if, prior to receipt of the payment, the State Highway Department shall have made the acquisitions from the Authority authorized by this act, the State Highway Department shall require such private interests to secure such payment in a manner satisfactory to the State Highway Department.

SECTION 3. Highway Department may be fiscal agent.—If it shall effect the acquisition authorized by Section 1 of this act, the State Highway Department shall be empowered to assume the function of fiscal agent as it was created by the resolution of the Authority authorizing the issuance of its toll bridge revenue bonds. It shall further be empowered to receive all moneys and securities held by the present fiscal agent or by any other fiduciary under

said bond resolution, and to hold such moneys and securities in trust for the purposes originally intended, until payment is made in full by or on behalf of the State Highway Department for the toll bridge revenue bonds of the Authority. Upon such payment such moneys or securities shall become the absolute property of the State Highway Department. Prior to the receipt of the moneys and securities now held by the present fiscal agent, the State Highway Department shall give to such fiscal agent such assurances as it shall require that it will be indemnified and held harmless, as a consequence of its delivering the moneys and securities now in its possession to the State Highway Department.

SECTION 4. Tolls.—If it shall acquire the toll bridge system the State Highway Department shall provide a schedule of toll rates which shall require a round trip charge for passenger or Class I vehicles of one dollar twenty-five cents and charges for other vehicles comparable to those now in effect. Such rates shall remain in effect until December 1, 1959, on which date the tolls shall be removed from the bridge system.

SECTION 5. Dissolution of Authority.—Upon conveyance of its properties and system to the State Highway Department, the Authority shall cease to function and shall be dissolved and all records belonging to the Authority shall be delivered to the State Highway Department.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R401, H1640)

No. 333

An Act To Provide Supplemental Appropriations And Regulations For Certain State Departments For The Fiscal Years 1958-1959 And 1959-1960.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1

The following sums of money, if so much be necessary, are hereby appropriated out of the State Treasury to supplement appropriations heretofore made for the fiscal year 1958-1959.

SECTION 2**Legislative Department****Item 1—The Senate****A. Personal Service**

A-1. Salaries of Senators\$ 2,000.00

SECTION 3**Judicial Department**

Item 1. Salaries—Chief and Associate Justices\$ 2,333.40

Item 2. Salaries—Circuit Judges 2,916.75

Total\$ 5,250.15

SECTION 4**Comptroller General's Office**

For Printing for Counties\$ 12,000.00

SECTION 5**State Superintendent of Education**

For Payment of Teachers' Salaries\$ 761,000.00

SECTION 6**Educational Finance Commission**

School Bus Operating Expense\$ 675,000.00

SECTION 6 A**The State Budget and Control Board****Division of Office Supplies and Printing**

Printing Public Documents\$ 30,000.00

SECTION 7**State Penitentiary**

Maintenance\$ 30,000.00

SECTION 8**Industrial School for Negro Girls**

To Renovate and Enlarge Sewerage Disposal System...\$ 8,000.00

SECTION 9**Department of Agriculture**

Travel	\$ 6,000.00
Office Supplies	\$ 5,000.00
Total	\$ 11,000.00

SECTION 10

Any balance on June 30, 1959, carried by the University of South Carolina in its Account No. 1156, titled "Special Research Fund—Civil Contingent Fund", may be carried forward by the University and expended for the purpose for which the sum was originally acquired, during the fiscal year 1959-1960.

SECTION 11

The following appropriations and provisions are hereby made to supplement appropriations heretofore made for the fiscal year 1959-1960.

SECTION 12

For the fiscal year 1959-1960, the State Forestry Commission is hereby authorized to mark and cut, in its discretion, saleable timber on any of the State Parks and to use the proceeds of the sale of such timber for improvements at such State Parks.

SECTION 13**State Budget and Control Board****Division of Sinking Funds and Property**

For the payment of rentals for departments moved out of State-owned facilities (1959-1960)\$ 25,000.00

SECTION 14

Notwithstanding the provisions of Section 2, of Part III, of Act No. 644 of the Acts of 1954, on or before September 30, 1960, the State Budget and Control Board shall determine: (1) the actual cost of operation of the State government for the preceding fiscal year; (2) any appropriation liabilities of that year which may be outstanding and unpaid at the time, and (3) any General Fund deficit which may have existed at the beginning of the said fiscal year.

If it shall be found that the State's General Fund revenue collections for that year exceeded the total of its operating cost and the liabilities enumerated above by the amount of \$1,500,000.00,

there shall be paid to the respective counties of the State for maintenance and operation of public schools, all such excess above the \$1,500,000.00 up to the sum of \$1,500,000.00 to be distributed among the counties on the basis of pupil enrollment as now used for other funds allotted for this purpose.

Thereafter, if further excess funds remain, the General Fund Reserve shall be built up to the statutory amount, and any remaining excess funds shall be distributed to the counties as now provided by statute.

SECTION 15

All acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 16

This act shall take effect upon its approval by the Governor.

Approved the 15th day of May, 1959.

(R414, H1714)

No. 334

An Act To Authorize The Secretary Of State To Restore The Charter Of McCormick Funeral Home, Inc., In Richland County. Whereas, the General Assembly, on April 14, 1959, by Concurrent Resolution, H-1537, pursuant to the requirements of the Constitution of South Carolina, 1895, Article IX, Section 2, approved the introduction of a bill authorizing the Secretary of State to restore the Charter of McCormick Funeral Home, Inc., in Richland County. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of McCormick Funeral Home, Inc., Richland County to be restored—taxes, penalties and interest to be paid.—Authority is hereby granted to the Secretary of State to restore the Charter of McCormick Funeral Home, Inc., in Richland County, which was heretofore cancelled, upon the payment to the South Carolina Tax Commission of such taxes, penalties and interest as the Commission shall find to be due. The Secretary of State shall notify the clerk of court of the county in which the original Charter was granted of the restoring of the forfeited charter and the clerk of court shall note the same upon the record of the original Charter.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R432, H1572)

No. 335

A Joint Resolution To Provide For Continuing The Work Of The Committee Appointed To Study And Investigate The Feasibility Of Establishing A State Cancer Nursing Home Or Converting Existing County Or State Facilities To Cancer Nursing Homes; And To Appropriate One Thousand Dollars To Defray The Expenses Of The Committee.

Whereas, the committee, appointed pursuant to a Concurrent Resolution of the General Assembly to study and investigate the feasibility of establishing a State Cancer Nursing Home or of converting existing county or State facilities to Cancer Nursing Homes and of increasing the monetary grant given certain indigent cancer patients and to require the committee to report its findings and recommendations to the General Assembly at the beginning of the second session of the Ninety-Second General Assembly, has not yet completed its work. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. State or County Cancer Nursing Home Committee continued.—The committee, appointed pursuant to a Concurrent Resolution of the General Assembly to study and investigate the feasibility of establishing a State Cancer Nursing Home or of converting existing county or State facilities to Cancer Nursing Homes, not having completed its work, shall continue the required study and shall make a report of its findings and recommendations to the General Assembly at the beginning of the Session of 1960.

SECTION 2. Appropriation.—To defray the cost and expenses of the committee, there is hereby appropriated the sum of one thousand dollars from the approved accounts of both houses.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R435, H1616)

No. 336

An Act To Amend The Charter Of The Trustees Of The College Of Charleston So As To Change The Terms And The Method Of Electing Its Trustees And In Other Particulars Specifically Set Forth.

Whereas, the eleemosynary corporation now known as The Trustees of the College of Charleston was chartered by Act of the General Assembly approved December 20, 1837 (Volume VII, Statutes at Large, Page 153), being an act entitled "An Act to Reorganize the College of Charleston" and now functions pursuant to the act and divers amendments thereto; and

Whereas, a concurrent resolution has been adopted by the House of Representatives and the Senate allowing the introduction of this bill. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Charter of trustees of College of Charleston amended—terms of members of board of trustees—election of trustees.—The Charter of the corporation known as The Trustees of the College of Charleston, as heretofore amended by sundry acts of the General Assembly, is further amended by striking out all provisions in respect to the number, election, selection, and terms of office of said Trustees, save those elected by the graduates, and inserting in lieu thereof the following :

That the said College of Charleston shall be under the management of a board of fifteen trustees, consisting of twelve members elected by the Board of Trustees, and three members elected by the graduates of the college, as follows :

(a) The twelve trustees to be elected by the Board of Trustees shall be elected at a meeting of the said Board to be held on or before

June 1, 1959, and shall hold office as follows: two until the annual meeting in October 1960; two until the annual meeting in October 1961; two until the annual meeting in October 1962; two until the annual meeting in October 1963; two until the annual meeting in October 1964; and two until the annual meeting in October 1965. Such respective terms shall be determined by lot. Upon such election being held, the terms of the present Trustees elected by the Board of Trustees shall end. Upon the expiration of the terms hereinbefore provided, the successors shall be elected by the Board to serve for terms of six years.

(b) The Trustees to be elected by the graduates of the college shall be elected in the manner now provided by law.

(c) No Trustee whose term of office expires after January 1, 1960 shall be eligible for re-election earlier than the annual meeting in the calendar year after expiration of such term.

(d) As soon as may be practicable after the approval of this act, and at all events not later than June 1, 1959, the present Trustees shall meet and elect twelve Trustees and thereupon determine by lot their respective terms of office to conform with the provisions of subsection (a) of this section.

(e) Vacancies shall be filled for the unexpired terms in the manner of original election.

(f) All Trustees shall serve until their successors have been elected and qualify.

SECTION 2. Name of corporation—powers conferred by other acts.—The name of the corporation shall remain as heretofore, "The Trustees Of The College Of Charleston", and said corporation shall have all the powers, rights, privileges and emoluments heretofore granted to same by any previous act or acts of the General Assembly of this State, except the right of eminent domain or condemnation provided for in the Act of the General Assembly of this State, approved February 17, 1939, which right has been abolished.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R190, H1399)

No. 337

An Act To Empower The Board Of Supervisors Of Abbeville County To Acquire New Courthouse Facilities; To Provide For An Election Therefor; To Authorize The Issuance Of General Obligation Bonds Of Abbeville County And To Make Provision For The Payment Of Such Bonds.

Whereas, the Grand Jury of Abbeville County has conducted an investigation as to the need of new courthouse facilities for Abbeville County, and has recommended that such be procured either through the renovation and modernization of the present courthouse or through the construction and equipping of a new courthouse; and

Whereas, the cost of constructing and equipping a new courthouse has been estimated to be three hundred ninety-six thousand dollars, including air conditioning at twenty thousand dollars, while the cost of renovating and modernizing the existing courthouse has been estimated to be two hundred thirty thousand dollars, including air conditioning at twenty thousand dollars; and

Whereas, the General Assembly has determined to empower the Board of Supervisors of Abbeville County to conduct an election for the purpose of determining:

(a) Whether the approval of those voting in such election shall be given to the acquisition of new courthouse facilities for Abbeville County; and if so,

(b) Whether such improved facilities shall take the form of a new courthouse or shall be obtained through the renovation and modernization of the existing courthouse building; and

Whereas, it is further intended that if the first question shall result favorably, the Board of Supervisors of Abbeville County should be empowered to issue bonds to the extent indicated to be required by that one of the two alternate methods which receives the largest number of votes. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Abbeville County to have referendum concerning new courthouse facilities—question.—To obtain an expression of the approval or disapproval from the qualified electors of Abbeville County upon the question of providing new courthouse facilities for Abbeville County and to obtain an expression of the preference of such

voters as to the method to be employed to obtain such new courthouse facilities, the Board of Supervisors of Abbeville County shall be empowered to fix a date for the holding of a special election in Abbeville County at which there shall be submitted to the qualified electors of Abbeville County voting in the election the following questions:

Question Number One

Shall Abbeville County undertake the acquisition of new courthouse facilities?

YES ☐

NO ☐

Question Number Two

Which of the following alternate methods shall be employed to obtain such facilities?

(a) Through the means of constructing and equipping a new courthouse at a cost of three hundred ninety-six thousand dollars, including air conditioning at twenty thousand dollars. ☐

(b) Through the means of renovating and modernizing the existing courthouse building at a cost of two hundred thirty thousand dollars, including air conditioning at twenty thousand dollars. ☐

The ballot employed in such election shall contain instructions which shall apprise those voting that if they wish Abbeville County to acquire new courthouse facilities they should place a check or cross in the box opposite the word "YES", leaving unmarked the box appearing opposite the word "NO". And if they are opposed to the acquisition of new courthouse facilities they should place a check or cross in the box opposite the word "NO", leaving unmarked the box appearing opposite the word "YES". Such voters shall be further instructed that irrespective of which answer they give to the first question, they shall be empowered to express their preference as to which of the two alternate methods they wish to be employed in providing such additional facilities, and that if they favor the construction and equipping of a new courthouse building they should place a check or cross mark in the box set opposite alternate method (a), leaving unmarked the box appearing opposite alternate method (b); and that if they prefer that the additional facilities be acquired through the renovation and modernization of the existing courthouse building, they should place a check or cross mark in the box set opposite the alternate method (b), leaving unmarked the box appearing opposite alternate method (a).

SECTION 2. Notice.—In the resolution of the board of supervisors, adopted to fix the date of the election, the Board shall likewise prescribe the form of notice to be published to give notice of the holding of the election. Such notice of election shall set forth the following information:

1. The date on which the election is to be held.
2. The location of the polling place for each precinct.
3. The qualifications relating to voting.
4. The form of question to be submitted.

The notice shall be published in one or more newspapers published in Abbeville County not less than once a week for three successive weeks prior to the date of the election.

SECTION 3. Conduct of election.—The board of supervisors shall apprise the Commissioners of Election of Abbeville County of the action thus taken in fixing a date for the election to be held pursuant to this act. The commissioners of election shall thereupon order the election, arrange for voting places in each precinct in Abbeville County, shall cause the appropriate number of ballots to be printed in accordance with the provisions of Section 23-347, Code of Laws of South Carolina, 1952, and except as provided by this act, such election shall be held in accordance with the South Carolina Election Law, codified as Title 23, Code of Laws of South Carolina, 1952, as amended.

The commissioners of election shall receive the returns, determine the results of the election and give notice thereof in due course to the Board of Supervisors of Abbeville County.

SECTION 4. Results.—Upon being advised of the results of the election, the board of supervisors shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring such result to be filed in the office of the Clerk of Court of Abbeville County. The result of the election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the board of supervisors declaring the result of the election.

SECTION 5. Courthouse Building Commission to be appointed if election favorable—duties.—If a majority of those voting in the election upon the question listed as "Question Number One" in Section 1 hereof shall be favorable to the acquisition of new courthouse facilities

for Abbeville County, a commission consisting of three citizens of Abbeville County shall be appointed by the legislative delegation for the purpose of supervising the construction. At its first meeting it shall organize by electing one of its members as chairman. Upon completion of the work for which appointed the commission shall be dissolved.

The commission shall have authority to contract for suitable architects and a construction force in order to build the completely new courthouse or renovate and modernize the present one, depending on which the qualified electors of Abbeville County decide upon. The commission shall advise with the county delegation from time to time in matters pertaining to the courthouse. They shall have complete authority to let the necessary contracts concerning the courthouse within the financial means provided. The commission shall be paid no salary and shall be authorized no mileage or per diem.

SECTION 6. Issue bonds—amount.—In order to provide funds to be used to acquire new courthouse facilities the Board of Supervisors of Abbeville County shall be empowered to issue general obligation bonds of Abbeville County. In the event that alternate (a) is to be followed in providing such new courthouse facilities, then in such event the amount of bonds to be issued shall not exceed three hundred ninety-six thousand dollars. In the event that alternate (b) is to be followed in providing such new courthouse facilities, then in such event the amount of bonds to be issued shall not exceed two hundred thirty thousand dollars.

SECTION 7. Further—proceeds.—The Board of Supervisors of Abbeville County, hereinafter referred to as the “Board”, consisting of the county supervisor of the county and two sub-supervisors, who together constitute the Board of Supervisors of Abbeville County as prescribed by Article 1 of Chapter 15, Title 14, Code of Laws of South Carolina, 1952, as amended, shall be empowered to issue not exceeding three hundred ninety-six thousand dollars of general obligation bonds of Abbeville County, whose proceeds shall be expended in the acquisition of new courthouse facilities for Abbeville County.

SECTION 8. Maturity—redemption—interest.—The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the

Board. The maturity date of the first instalment of any series shall be not later than three years from the date of such series and the maturity date of the last instalment of such series shall be not later than twenty years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the Board. They shall bear such rates of interest as the Board may determine, payable semiannually, but the interest cost of any issue shall not exceed four percent per annum. They shall bear such dates and be payable at such places as the Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Abbeville County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

SECTION 9. Execution.—The bonds shall be executed in the name of Abbeville County by the county supervisor and shall be attested by the Treasurer of Abbeville County, under the seal of the Board. The coupons appertaining to such bonds need not be authenticated otherwise than by the facsimile signatures of the county supervisor and the treasurer of the county lithographed or engraved thereon.

SECTION 10. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 11. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Abbeville County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Board for:

(a) The cost of issuing the bonds;

(b) To defray the cost of new courthouse facilities for Abbeville County.

If any moneys shall remain after making the foregoing applications, the remainder shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of the proceeds to the purposes for which such bonds are issued.

SECTION 12. Payment.—The full faith, credit and taxing power of Abbeville County shall be pledged for the payment of the bonds and interest and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as they respectively mature.

SECTION 13. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 14. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1959.

(R339, H1642)

No. 338

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, For Abbeville County, And To Direct The Expenditure Thereof, And Otherwise Relating To The Fiscal Affairs Of Abbeville County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The auditor of Abbeville County is hereby authorized to levy a sufficient millage on taxable property of Abbeville County to meet the appropriations herein made for the fiscal year 1959-1960 beginning July 1, 1959 and ending June 30, 1960. There is hereby appropriated from the general fund of Abbeville County the following sums for the following purposes :

ITEM A. SALARIES:

Auditor	\$ 1,288.00
Clerk to Auditor	2,178.00
Treasurer	1,288.00
Clerk to Treasurer	2,178.00
Sheriff	3,993.00
Assistant Jailor to Sheriff	363.00
Three Deputy Sheriffs at \$3,751.00 each	11,253.00
Tax Collector	3,993.00
Travel Expense, Tax Collector, etc.	500.00
<i>Provided</i> , the above shall be paid by order of of the County Board of Commissioners upon an itemized and verified claim of Tax Collec- tor, not exceeding in any one month one- twelfth of the total allowance for the twelve months. <i>Provided</i> , further, that the claim shall be approved by the Abbeville County Del- egation, and in no event shall the total amount expended exceed the sum of \$500.00 for the fiscal year 1959-60.	
Supervisor	3,993.00
Clerk to Board	2,178.00
County Commissioners (2) \$399.30 each ..	798.60
Board of Education	792.00
Clerk of Court	3,993.00
Assistant to Clerk of Court	2,178.00
Judge of Probate	3,993.00
Clerk to Judge of Probate	2,178.00
Coroner	471.90
Clerk to Board of Registration, Abbeville County	242.00
Board of Equalization, if so much be neces- sary	1,100.00
Vital Statistics	300.00
Abbeville County Service Officer, payable in monthly installments, for expense	1,300.00
Total	\$ 50,551.50

ITEM B. COURT EXPENSES:

Jurors and Witnesses	\$ 4,000.00
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Provided, jurors for the Court of Common Pleas and General Sessions shall be paid at the rate of \$5.50 per day.

Magistrates' Courts:

Abbeville	\$ 1,815.00
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Donalds	287.50
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Due West	287.50
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Calhoun Falls	544.50
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Lowndesville	287.50
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Diamond Hill	287.50
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Constables:

Donalds	287.50
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Due West	287.50
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Calhoun Falls	431.24
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Lowndesville	287.50
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Diamond Hill	287.50
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Lunacy, Post Mortems and Inquests	600.00
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Sheriff to serve civil and criminal papers. In the event that the Coroner of Abbeville County is sick, or otherwise disqualified, the Magistrate of Abbeville County shall hold post mortems and inquests without compensation.

Total	\$ 9,690.74
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ITEM C. PUBLIC OFFICES:

Printing, postage stamps and stationery	\$ 2,500.00
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Telephone and Telegraph, courthouse and phones of other county officials, twelve, if so much be necessary	1,000.00
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County Health Unit, if so much be necessary for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health	8,900.00
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Premiums of Bonds of County Officers and Recording same	1,200.00
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Total	\$ 13,600.00
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ITEM D. PUBLIC BUILDINGS:

Janitor—Courthouse	\$ 1,200.00
Water, heat, light, supplies for janitor	2,000.00
Insurance	1,400.00
Total	\$ 4,600.00

ITEM E. SPECIALS:

To pay the cost of installation and rental of Mobile Telephone Service for the law enforcement department of the county under the supervision of the Sheriff		\$ 1,920.00
Abbeville Hospital		22,000.00
Payable to Abbeville Hospital \$1,833.33 at the end of each month beginning July 1, 1959. <i>Provided</i> , that the sum appropriated for the Abbeville Memorial Hospital may be reduced by the amount accruing to the county from State revenues allocated for hospitalization.		
Auditing Books for Abbeville County		500.00
Contingent Fund		13,000.00
To pay to W. M. Agnew, Treasurer, Abbeville County Library Association		3,000.00
To be used by the Abbeville County Library Association payable \$216.00 per month at the end of each month beginning July 1, 1959.		
Girls' Four-H Club Work		100.00
Boys' Four-H Club Work		100.00
Home Demonstration Agent Supplies		60.00
Extra Clerical Work in office of Clerk of Court during sessions of court, etc., payable monthly under the direction of the Clerk of Court		300.00
For stamps, stationery for Mrs. Annie Lee Woodhurst, Treasurer, if so much be necessary, for mailing statements due by taxpayers		450.00
To pay J. L. Savitz, Chairman of the Finance Committee, Abbeville County Public Library, located in the City of Abbeville, Abbeville County, S. C. to be used for library purposes		1,500.00

Commander Medical Detachment 51st Div. Art.	400.00
Pay to Company Commander, Service Bat- tery 178 F.A. Bn., Abbeville, S. C.	1,000.00
Pay to Commander, Veterans of Foreign Wars, Burton-Clark Post No. 5208, Calhoun Falls, S. C.	200.00
Pay to American Legion Commander, Ameri- can Legion Post No. 72, Calhoun Falls, S. C., and Auxiliary	400.00
To Pay South Carolina Retirement System County Employees' part	2,000.00
Pay to B. F. Garrison, Treasurer, F. F. A., Camping Trip	100.00
Pay to Dr. D. C. Lewis, Treasurer, Abbe- ville County Council of Boy Scouts	150.00
Pay to Mrs. Mason Speer, Treasurer, Girl Scouts	200.00
Pay to Mrs. Lois L. Fleming, Secretary to County Agent	120.00
Payable \$10.00 per month beginning July 1, 1959.	
Pay to Mrs. Caroline M. Cochran, Secretary to Home Demonstration Agent	120.00
Payable \$10.00 per month beginning July 1, 1959.	
Pay to Mrs. Catherine L. Everett, School Room Supervisor, Expense Account	120.00
Payable \$10.00 per month beginning July 1, 1959.	
For the purpose of establishing facilities for re- search, planning and development for the ben- efit of the entire county, there is hereby ap- propriated the sum of \$5,000.00 to be paid out for this purpose at the direction of the County Delegation	5,000.00
Pay to Miss Myrtle Crowther, Attendance Teacher, Expense Account	240.00
<i>Provided</i> , the above shall be paid upon item- ized statements approved by the County Del-	

egation and in no event shall the total amount exceed \$240.00 for the fiscal year 1959-60.	
County Board of Education, School Lunch, for freight and storage on commodities, if so much be necessary, etc.	500.00
Pay to T. B. Association for upkeep, repair or replacement of equipment, if so much be necessary	150.00
Pay to County Agent for:	
Stamps	\$35.00
Telephone	25.00
Soil Sample Containers	15.00
	75.00
To pay to Girls Future Homemakers of America, Expenses	100.00
To pay to Boys Future Farmers of America, Expenses	100.00
Total	\$ 53,905.00

ITEM F. JAIL EXPENSES:

Including dieting of Prisoners and Janitor ..	\$ 3,000.00
Light and Water	200.00
Fuel	500.00
Repairs to automobile, gas and oil for Sheriff	1,000.00
<i>Provided</i> , that claims for oil and gasoline to be paid monthly and before said claims shall be paid as valid claims against the county, the Sheriff must take oath that the oil and gasoline consumed was used only in the enforcement of criminal law.	
<i>Provided</i> , the jailor shall diet all prisoners in his care and janitor at one dollar and twenty-five cents per day each. All accounts for dieting of prisoners and janitor shall be presented duly attested to the Board of Commissioners, and by them allowed or rejected.	
Total	\$ 4,700.00

ITEM G. COUNTY HOME AND FARM:

Chaplain and Funeral Expenses\$ 600.00

The Supervisor and Subsupervisors are given authority to exchange any produce, such as hay, corn, oats, cattle or hogs for fertilizer, ingredients to be used on the County Farm or roads of the county, for the purpose of growing truck for the purpose of feeding prisoners only, and an account to be kept of such transactions and a report to be made to the delegation.

All other funds received from the sale of livestock and produce shall go into the General Fund of Abbeville County.

Total\$ 600.00

ITEM H. ROADS AND BRIDGES:

Maintenance of Roads and Bridges and purchasing of new road machinery and trucks...\$ 56,863.00

Total\$ 56,863.00

ITEM I. INTEREST, ETC.:

Interest on County indebtedness\$ 1.00

Total\$ 1.00

ITEM J. PUBLIC WELFARE:

To pay Abbeville County Department of Public Welfare for use as an Emergency Fund payable on the order of the County Board of Public Welfare\$ 1,000.00

Provided, that no payment shall exceed the sum of \$25.00 to any one family or person.

To pay to Abbeville County Department of Public Welfare for use as Physician's Fee Fund, payable on order of the County Board of Public Welfare 600.00

Provided, that no physician's fee shall be expended except to call on persons on the relief roll of Abbeville County who are unable to at-

tend the clinics provided by Abbeville County Health Department.	
To pay to Abbeville County Department of Public Welfare for office supplies	100.00
To pay to Abbeville County Department of Public Welfare for one additional clerical worker	1,800.00
Payable \$150.00 per month beginning July 1, 1959.	
To supplement salary of County Director of Public Welfare	360.00
Payable \$30.00 per month beginning July 1, 1959.	
Public Welfare Members (3)	180.00
Payable \$5.00 per month beginning July 1, 1959.	
Pay to each member of Public Welfare Staff, Social Workers, Expense Account—4 members—\$120.00 each	480.00
Payable \$10.00 per month, per member, beginning July 1, 1959.	
Pay to each member of Public Welfare Staff, Clerical Workers, 3 members, \$120.00 each	360.00
Payable \$10.00 per month, each member, beginning July 1, 1959.	
Total	\$ 4,880.00
ITEM K. MISCELLANEOUS	\$ 1.00
Total	\$ 1.00
ITEM L. Pay to Lloyd H. Bull, County Agent, the sum of \$25.00 per month beginning the first day of July, 1959	\$ 300.00
To pay rent on Health Clinic at Donalds, S. C., payable \$25.00 per month beginning the first day of July, 1959	300.00
Total	\$ 600.00
GRAND TOTAL	\$199,992.24

Less Estimated Revenue Other Than Taxes:

Road Tax	\$ 1,200.00
Income Tax	21,850.00
Liquor Tax	18,875.00
Beer and Wine Tax	4,900.00
Gas Tax	55,250.00
Bank Tax	1,850.00
Insurance License Fees	6,500.00
Fines	9,900.00
Fees	7,300.00
Forestry	9,735.62

Total	\$137,360.62
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TOTAL TO BE RAISED BY TAXA-
TION

\$ 62,631.62

SECTION 2. The county commissioners shall have equal authority in county matters with the supervisor; *provided*, that the statement of affairs of the county shall be posted on the bulletin board in front of the courthouse and published in the newspapers as now provided by law; that unless the supervisor publishes the statement it shall be unlawful for the county treasurer to pay the salary of the supervisor; *provided*, that the county treasurer shall pay all county officers monthly instead of quarterly. *Provided*, further, that in the maintenance of county roads the supervisor is hereby authorized to expend not more than one-fourth of the appropriation during each quarter during the calendar year.

SECTION 3. The Board of Trustees of School District No. 60 of Abbeville County shall prepare a budget for cost of operation of the schools, maintenance of buildings and equipment within the district, and determine the number of mills required to be levied to finance same. They shall then certify at an appropriate date the budget and millage required for the year to the county board of education. The county board of education shall review the budget and recommend millage so submitted, making such changes as the board of education may deem necessary; then, with the advice and consent of the legislative delegation, the county board of education shall certify the millage required to the Auditor of Abbeville County, whereupon the county auditor shall levy the required tax

upon all the taxable property within the district, and the Treasurer of Abbeville County shall collect the same in like manner as all taxes are collected, and place the same in the district school account, to be disbursed for the declared purposes in the manner fixed by law.

SECTION 4. The administrative Superintendent of the School System of Abbeville County on the fifteenth day of each month shall file with School District No. 60 of the county a statement showing the amount of monies on hand to the credit of the school district, and the county treasurer shall file with the supervisor, on the fifteenth day of each month a statement showing the amount on hand to the credit of the county.

SECTION 5. The money appropriated above as a contingent fund is to be used and paid out at the direction of the county delegation.

SECTION 6. The various items herein appropriated for the purposes herein specified shall be used exclusively as provided for in this act, and any transfer of funds from one item to another is hereby specifically prohibited, and any officer who violates this provision shall be deemed and considered guilty of malfeasance in office. *Provided*, that the transfer of any of the items may be made by the written consent of the Abbeville County Delegation, and upon such transfers being made, such sum shall be expended only for the purposes designated by such transfers.

SECTION 7. If, owing to the nonpayment of taxes caused by the extension of time for payment of taxes, or otherwise, there shall not be sufficient funds available for the full payment of the notes executed by the county board to secure the loans for the fiscal year 1958-59, ending June 30, 1959, then in that case the county board is authorized to renew such note or notes for any balance or balances which may be due and unpaid for such time as funds may become available for the payment of same.

SECTION 8. Any unexpended balance in any department, at the end of the fiscal year 1958-59 with all delinquent taxes, other than school taxes, which shall be collected in the fiscal year 1959-1960, shall be placed in the contingent fund. The legislative delegation shall direct that this fund be used for county purposes and if it is found that the tax levy can be reduced, the delegation shall instruct the auditor to reduce the same. *Provided*, however, that any unex-

pending balance in the budget for the County Health Department at the end of the fiscal year 1958-1959 shall be retained by the department and added to appropriation made herein for the 1959-1960 fiscal year for use by the County Health Department in carrying on proper health program to be agreed upon by the County Legislative Delegation and the State Board of Health.

SECTION 9. The Abbeville County Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by Abbeville County.

SECTION 10. The county delegation is hereby authorized and empowered to secure the services of a certified public accountant to make an audit of the county books for the fiscal year 1959-1960, beginning July 1, 1959.

SECTION 11. The office of County Attorney is hereby abolished. In the event the county needs legal advice of any sort, then the Abbeville County Delegation shall employ an attorney of its choice and shall pay for such legal advice from the Contingent Fund for the fiscal year 1959-1960.

SECTION 12. The salaries fixed herein for the clerk of court of common pleas and general sessions and register of mesne conveyances, sheriff, county treasurer, judge of probate and county auditor shall be in full compensation and all fees to be collected by law for items placed in their hands, on and after July 1, 1959, shall be turned over to the county treasurer as provided by Act No. 7 of the Acts of 1935 and Act No. 655 of the Acts of 1936.

SECTION 13. The Abbeville County Delegation may add new items to Item K, Miscellaneous, and transfer from the Contingent Fund, 1959, for the payment thereof.

SECTION 14. The supervisor and the county board of commissioners are hereby prohibited from entering into a contract for the county whereby any legal counsel is employed to prosecute or defend any suit in the State, county, or any official thereof, or agree to pay any legal fees to counsel whether authorized by the courts, or not, without having first obtained the written consent of the Abbeville County Delegation.

SECTION 15. The Abbeville County Delegation is hereby authorized and empowered to pay to the members of the Forestry Com-

mittee, or any other members of a committee authorized by legislation, meeting during the fiscal year 1959-1960, ending June 30, 1960, the sum of seven dollars and fifty cents per day from the Contingent Fund under Item E; *provided*, however, none of the committee shall be paid for more than twelve meetings during the fiscal year 1959-1960.

SECTION 16. All authorizations for transfers for the 1958-1959 Supply Act of Abbeville County to all departments of county government are hereby ratified, confirmed and validated.

SECTION 17. The County Board of Commissioners of Abbeville County is hereby authorized and directed to borrow the sum of seventy-five thousand dollars, if so much be necessary, to be credited to the general county fund, and used for general county expenses in the event that the sums herein appropriated should be insufficient to meet the needs of the county for the period covered by this act.

SECTION 18. Such indebtedness, if created, shall be evidenced by a note and such note shall bear interest at the rate of not to exceed five per cent per annum, shall be payable one year from date, and shall be signed by the chairman and the members of the county board of commissioners.

SECTION 19. The county treasurer is hereby authorized to credit the proceeds of the loan to the general county fund.

SECTION 20. The indebtedness evidenced by the note provided for herein shall be repaid from the proceeds of the tax levy for the fiscal year 1959-1960, beginning July 1, 1959, for Abbeville County.

SECTION 21. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified, itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 22. All purchases made by any of the officials of Abbeville County exceeding the sum of one hundred dollars shall be submitted for bids and shall be approved by the Abbeville County Delegation.

SECTION 23. All acts or parts of acts inconsistent herewith are repealed.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R257, H1531)

No. 339

An Act To Create A Historical Commission For Aiken County And To Provide For Its Membership, Powers And Duties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Historical Commission for Aiken County created—members—appointment—terms—vacancies—organization—personnel—compensation.—There is hereby created a Historical Commission for Aiken County, to be composed of not less than five nor more than seven members, who shall be appointed by the Governor on the recommendation of a majority of the Aiken County Legislative Delegation. The members of the commission shall be appointed for terms of three years and until their successors are appointed and qualify. In case of any vacancy, prior to the expiration of a regular term, the appointment to fill the vacancy shall be made in the same manner as provided for the original appointment. The commissioners, upon being appointed, shall meet and, from among themselves, elect a chairman. The members of the commission shall serve without compensation and they may employ a director and a secretary who shall perform such duties as the commission may direct. Compensation paid the director and secretary shall be fixed by the commission.

SECTION 2. Service not to be deemed service prohibited by law or dual office holding.—Service of an individual as a member of the commission shall not be considered as service or employment bringing the individual within the provisions of law concerning the prohibition of such service; nor shall any member of the commission, by reason of his status as such, be deemed an officer of the government within the meaning of dual office holding, as prohibited by the Constitution and laws of this State.

SECTION 3. Commission may accept donations—to cooperate with certain groups—state departments may assist.—The commission is authorized to accept donations of money, property or personal services; to cooperate with national, state, civil, patriotic, hereditary and historical groups and institutions of learning; and to call upon State departments or agencies for their advice and assistance in carrying out the purposes of this act.

SECTION 4. Powers of commission.—The Commission, to such extent as it finds to be necessary and within the limits of funds available, may, without regard to the laws and procedures applicable to State agencies, procure supplies, services and property and make contracts and expend in furtherance of this act funds donated or funds received and may, within the limits of statutory authority, exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this act.

SECTION 5. Marking of historical points—upkeep of sites—further powers.—The commission shall select markers and appropriately mark and designate points and places of historical interest in Aiken County. The commission shall be responsible for the upkeep of such historical sites. It shall receive and disburse funds, accept donations, and compile, print and sell historical pamphlets. In addition, the commission shall advise the county legislative delegation on matters of historical interest in the county.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R458, S314)

No. 340

An Act To Validate All Disbursements, Expenditures And Actions Authorized By The Aiken County Legislative Delegation During The Fiscal Year 1958-1959.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Actions of Aiken County Legislative Delegation validated.—The disbursements, expenditures and actions autho-

rized by the Aiken County Legislative Delegation during the fiscal year 1958-1959, in connection with the operation of the county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R484, H1595)

No. 341

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Aiken County For The Fiscal Year Beginning July 1, 1959, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

SECTION 1. There shall be levied a tax upon all the taxable property of Aiken County for ordinary county and school purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, sufficient to meet the amounts hereinafter appropriated, after deducting therefrom the estimated revenue accruing from the ordinary county funds.

Item 1. Roads and bridges, including county shop, miscellaneous, office supplies and machinery	\$126,000.00
Salaries:	
Supervisor	5,500.00
Travel Expense of Supervisor	1,000.00
Three Commissioners @ \$2,400.00 each	7,200.00
Three Commissioners, expenses @ \$1,000.00 each	3,000.00
Chief Clerk	3,400.00
Clerk	3,112.00

Clerk Aid	2,709.00
Superintendent of County Farm	3,000.00
One Machinist	3,520.00
One Machinist (Assistant)	3,200.00
Three Road Foremen @ \$3,000.00	9,000.00
Three Guards @ \$3,000.00	9,000.00
Two Tournapull Operators @ \$3,000.00	6,000.00
Six Road Patrols @ \$2,825.00	16,950.00

Total, Item 1\$202,591.00

Provided, that services of all equipment operators, when such machinery is under repairs, shall be used in other work at the direction of the commissioners and supervisor.

Provided, further, that the appropriation herein provided under Item 1, Section 1, or so much thereof as may be necessary after payment of salaries listed therein, shall be expended for the upkeep and maintenance of the roads and bridges of the county, convict camps, convicts, operation of the county farm, road-working organizations and payment of all employees who may be engaged for such purposes.

Provided, further, that the supervisor shall have exclusive charge of the county farms and shall keep a record of the cost of operation thereof and all rents derived therefrom, and he shall have exclusive charge of the county convicts while they are confined in the county centralized camp and while they are engaged in work on said farms. The supervisor shall also have exclusive charge and supervision over the personnel necessary to be employed in the operation of the farm and management of the convict camp, with the right to hire and discharge any such employee. The employment of all guards of prisoners shall be with the approval of the county supervisor, and such guards shall be subject to his authority and control while on duty at the county centralized convict camp. The Supervisor shall in-

spect all roads and make the same reports required of the commissioners and cooperate with the commissioners in maintaining the roads so as to keep the same in good condition for public use. All monies received from rents and sale of commodities shall be turned over to the treasurer of the county monthly.

Provided, further, the commissioners shall supervise all county road work in their respective districts, and they shall make requisition to the supervisor for such convicts from time to time as the needs of the roads in their respective districts may require; the commissioners shall be responsible for the convicts under their charge while at work, going to and returning from their work at camp. Each commissioner shall keep a daily record of roads worked, showing the location thereof, in their respective districts and the cost of work so performed. And, on Monday of each week, the commissioners shall file their report with the clerk of the county board, which reports shall be kept in the office of the board for inspection by the supervisor and the Legislative Delegation of Aiken County. *Provided*, further, that upon vote of the commissioners and supervisor, as provided by law, the funds hereby appropriated and the county equipment may be distributed as needed, regardless of districts.

Item 2.	Clerk of Court, Salary	\$ 5,500.00
	Chief Clerk	3,400.00
	Clerk	3,112.00
	Six Clerk Aids @ \$2,709.00	16,254.00
	Supplies	7,500.00
	Total, Item 2	\$ 35,766.00
Item 3.	Sheriff's Salary	\$ 5,500.00
	Expenses, Sheriff	1,000.00
	Chief Deputy	3,954.00
	Nine Deputy Sheriffs @ \$3,765.00	33,885.00

Telephone and Miscellaneous Expenses, Deputy Sheriffs, fifteen @ \$60.00	900.00
Supplies, Identification Bureau	1,000.00
Night Radio Operator and Identification Assistant	3,765.00
Car Maintenance and expenses of Deputy Sheriffs, if so much be needed	10,500.00
<i>Provided</i> , that all cars now owned by Aiken County be used only for official county or state business.	
Uniforms for Deputies, thirteen @ \$200.00 ...	2,600.00
<i>Provided</i> , that any property owned by Aiken County, for the use of personnel of the Sheriff's office shall be issued to such personnel only upon memorandum receipt for same, specifying the date, individual receiving it, nature of the property being issued, including serial numbers, if any; and in the event such personnel, having been issued county property, should leave the service of the county for any reason whatsoever, such personnel shall not receive his final pay check until all county property issued such personnel shall have been turned in and receipt therefor issued.	
<i>Provided</i> , that in the expenditure of this appropriation, the County Commissioners and Supervisor shall be responsible for the expenditures thereof and provide gasoline and maintenance of the automobiles.	
<i>Provided</i> , further, that such county-owned motor vehicles shall be insured in such manner as to make the county blameless in the event of accident to such vehicle or other innocent person or persons.	
<i>Provided</i> , further, no deputy sheriff shall accept employment for policing night clubs, dance halls or honky-tonks.	
Clerk for Sheriff	3,400.00
Assistant Clerk	2,912.98
Expenses going after prisoners	1,250.00

Radio Technician @ \$126.00 per month	1,512.00
Supplies	1,000.00
Expenses, Deputy Sheriffs, Graniteville—five at \$52.50 per month	3,150.00
One Deputy Sheriff, Gloverville-Langley area	3,765.00
Expenses Deputy Sheriff, Gloverville-Langley area	600.00
One Deputy Sheriff, Clearwater	661.50
One Deputy Sheriff, Montmorenci	1,369.20

Total, Item 3 \$ 82,724.68

Item 4. Tax Collector:

Salary ..	\$ 5,250.00
Chief Clerk	3,400.00
Assistant Clerk	2,766.16
Expenses of office, including gas, oil, books, etc.	2,000.00

Total, Item 4 \$ 13,416.16

Provided, that total appropriation for this item shall be paid from the collections made by the Tax Collector, and any surplus existing thereafter shall be deposited to the credit of the General County Fund and the School Fund in the same proportion as the millage levied that fiscal year for each fund.

Item 5. County Jail:

Chief Jailer	\$ 3,865.00
Three Assistant Jailers @ \$3,765.00	11,295.00

Provided, that the jailers shall be appointed by the supervisor and county commissioners and they shall be commissioned as deputy sheriffs. The supervisor shall see to it that one of the jailers shall be at the jail at all times.

Jail expenses, including dieting of prisoners 8,500.00

Provided, that this fund of \$8,500.00, or so much thereof as may be necessary, is to be expended by the custodian of the jail with the approval of the supervisor in paying the actual expenses incurred in maintaining the jail and in dieting prisoners, and such expenses shall be paid by

the Treasurer of Aiken County upon claims approved by the county commissioners and the supervisor. The custodian, in operating and maintaining the jail, may employ such cook and other help as he deems necessary and he is authorized and empowered to use the services of persons serving sentence imposed by the courts. The commissioners and supervisor, when practicable, shall provide crops and meats grown and raised on the County Farm in dieting and feeding the prisoners.

Total, Item 5	\$ 23,660.00
Item 6. County Treasurer:	
Salary	\$ 2,500.00
Chief Clerk	3,400.00
Two Clerk Treasurers @ \$2,709.00	5,418.00
Special Clerks	3,000.00
Supplies and Miscellaneous	900.00
County Treasurer, travel	100.00
Mailing out tax notices, if so much be necessary	2,500.00
Total, Item 6	\$ 17,818.00

Provided, that the Treasurer of Aiken County is authorized to make such arrangements as he sees fit with the S. P. C. A. with reference to dog tax; and he may accept such proof as he sees fit in lieu of certificates of inoculation. *Provided*, further, that on or before the tenth day of each calendar month the Treasurer of Aiken County shall furnish to each member of the legislative delegation and to the supervisor a statement showing receipts and disbursements of all State, county and school funds for the preceding month, together with a statement showing the purposes for which cash balances are held, and showing the balance of funds on hand for ordinary county purposes. *Provided*, further, that notice shall be sent out to each taxpayer prior to October 1, 1959.

Item 7. County Auditor:

Salary	\$ 2,500.00
Deputy Auditor	3,400.00
Three Clerk Aids @ \$2,709.00	8,127.00
Miscellaneous Supplies	1,500.00
Auto Registrations	375.00
Board of Equalization	3,000.00
Auditor, travel	150.00

Total, Item 7\$ 19,052.00

Provided, that members of the county board of equalization shall each receive as compensation for his services the sum of \$6.00 per day for the time actually engaged and five cents per mile for necessary travel.

Item 8. Adult Education:

Adult School Work	\$ 6,000.00
Special Services	1,000.00

Total, Item 8\$ 7,000.00

Provided, that any balance of the adult school fund unused at the expiration of the fiscal year shall be carried forward and expended on order of the Supervisor of Adult Education.

Item 9. Coroner:

Salary	\$ 2,520.00
Telephone and Supplies	200.00
Expenses of Coroner	820.00

Total, Item 9\$ 3,540.00

Item 10. Master:

Salary	\$ 5,000.00
Supplies and Maintenance	300.00
Clerk to Master	3,400.00
Expenses	300.00
Revolving Fund	1,000.00

Total, Item 10\$ 10,000.00

Item 11. County Service Officer:

Salary	\$ 5,250.00
Clerk, Salary	2,709.00
Travel Expenses	1,000.00
Postage, stationery, equipment	500.00

Total, Item 11\$ 9,459.00

Item 12. Probate Judge:

Salary	\$ 5,000.00
Chief Clerk	3,400.00
Clerk Aid	2,709.00
Supplies and new equipment, if so much be necessary	1,500.00
Expense money for handling insane persons	200.00

Total, Item 12\$ 12,809.00

Item 13. Magistrates and Constables:

Magistrates:

Aiken (District No. 1)	\$ 3,700.00
Expenses (Magistrate, District No. 1)	600.00
Windsor (District No. 3)	750.00
Salley (District No. 4)	1,008.00
Wagener (District No. 5)	1,008.00
Wards (District No. 6)	600.00
Oak Grove (District No. 7)	600.00
Langley (Districts Nos. 10 and 17)	2,400.00
Expenses (Districts Nos. 10 and 17)	600.00
Graniteville (Districts Nos. 8, 9 and 15)	2,400.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
North Augusta (District No. 11)	1,575.00
Beech Island (District No. 12)	1,575.00
Talatha (District No. 13)	1,575.00
Jackson (District No. 14)	1,575.00
Clearwater (District No. 16)	1,575.00
Expenses (District No. 16)	600.00
Supplies for Magistrates	500.00

Constables:

Aiken (District No. 1)	2,509.50
Expenses (District No. 1)	400.00
Windsor (District No. 3)	550.00

Salley (District No. 4)	550.00
Wagner (District No. 5)	750.00
Wards (District No. 6)	281.00
Oak Grove (District No. 7)	600.00
Graniteville (Districts Nos. 8, 9 and 15)	2,400.00
Expenses (Districts Nos. 8, 9 and 15)	600.00
Langley (Districts Nos. 10 and 17)	2,400.00
Expenses (Districts Nos. 10 and 17)	600.00
North Augusta (District No. 11)	1,400.00
Beech Island (District No. 12)	650.00
Talatha (District No. 13)	650.00
Jackson (District No. 14)	650.00
Clearwater (District No. 16)	1,545.00
Expenses (District No. 16)	600.00

Provided, that the Magistrate's Constable in the Clearwater District shall also serve as a policeman for the community of Belvedere.

Total, Item 13\$ 40,376.50

Item 14. Department of Public Welfare:

Director's Salary	\$ 420.00
Chairman of Board	800.00
Case Work Supervisor	240.00
Vice-Chairman of Board	700.00
Visitors (nine at \$120.00 each)	1,080.00
Child Welfare Worker (Supervisor)	240.00
Two Child Welfare Workers	240.00
Mileage, Child Welfare Workers	1,440.00
Clerical Workers (five at \$120.00)	600.00
One Child Welfare Stenographer	120.00
Secretary of Board	700.00
Two Board Members	1,400.00
Emergency Drugs for indigent patients	3,500.00
Emergency Relief	1,500.00

Total, Item 14\$ 12,980.00

Item 15. County Farm Agent:

Salary, County Agent	\$ 400.00
Salary, Assistant County Agent	200.00
Stenographer for Agent	525.00
Boys' 4-H Club Work	150.00

Contingent Fund for Agent	25.00
Total, Item 15	\$ 1,300.00
Item 16. County Home Agent:	
Salary	\$ 200.00
Stenographer for Agent and Assistant Agent ..	2,415.00
Contingent Fund for Agent	25.00
Girls' 4-H Club Work	150.00
Supplies, Home Demonstration Agent	150.00
Total, Item 16	\$ 2,940.00
Item 17. Negro Farm and Home Agent:	
Salary, Negro Home Demonstration Agent	\$ 777.00
Demonstration Supplies	100.00
Salary, Negro County Agent	410.00
Negro County Agent, Office Rent, Heat and Lights	276.00
Negro 4-H Club Work	150.00
Telephone	120.00
Clerical Assistance, Negro Farm and Home Agents	600.00
Negro Soil Conservationist	200.00
Total, Item 17	\$ 2,633.00
Item 18. Jurors and Witnesses:	
All expenses, if so much be necessary	\$ 25,000.00
Total, Item 18	\$ 25,000.00
Item 19. County Health Department:	
Lump Sum Appropriation	\$ 42,500.00
D.D.T. Spraying Program	2,000.00
<i>Provided</i> , that the Horse Creek Valley Com- munities shall be included in the spraying program.	
Total, Item 19	\$ 44,500.00
<i>Provided</i> , that a final budget of combined Coun- ty, State and Federal funds will be completed as soon after the first of July as possible, and	

a detailed itemization will then be submitted to the delegation and approved before any of the funds are spent.

Item 20. Aiken County Hospital:

All expenses\$ 95,000.00

Provided, that this amount is based upon the hospital receiving from the Department of Public Welfare for patients covered by public assistance the sum of \$53,000.00. It is intended that such sum together with this appropriation shall total \$148,000.00. In the event of an increase or decrease in public welfare funds the within appropriation shall be accordingly adjusted.

Total, Item 20\$ 95,000.00

Item 21. Post Mortems, Inquests and Lunacies:

All expenses\$ 1,000.00

Total, Item 21\$ 1,000.00

Item 22. Public Buildings:

Water, fuel, lights and insurance:

All expenses, if so much be needed\$ 12,000.00

Total, Item 22\$ 12,000.00

Item 23. Court Stenographer for Second Judicial Circuit \$ 120.00

Stenographer, Circuit Judge 600.00

Extra Clerical Help as needed—Magistrate, District No. 1 and Coroner 2,000.00

Salary, County Attorney 1,260.00

County Audit, to be expended by Aiken County Commissioners and Supervisor 2,520.00

Provided, that the person employed for the County Audit shall be so employed for the fiscal year commencing July 1, 1959, and ending June 30, 1960, and so far as is practicable he shall maintain a current audit.

Aiken County Library 26,000.00

Vital Statistics 600.00

Farmers' Home Administration, Clerk 2,390.00

Premium on Officers' Bonds 1,250.00

Edisto Soil Conservation	500.00
County Officers' Retirement Fund	9,000.00
Expenses, Solicitor, including telephone at court-house	1,000.00
Court Crier and other attaches, \$9.00 per day for actual services during court sessions.	
Assistant Clerk of Court, \$12.00 per day for actual work.	
<i>Provided</i> , that compensation for Court Crier and Assistant Clerk of Court and other court attaches shall be paid out of appropriation for Jurors and Witnesses.	
Assistant Rabies Control Officer, Salary	3,765.00
Telephone for Rabies Office	60.00
Uniforms, Rabies Control	150.00
Expenses, truck, gas, etc., Rabies Control	500.00
South Carolina Industrial Commission Insurance, if so much be necessary	2,197.47
Expenses, County Forester	876.00
Expenses, Probation Officer @ \$35.00 per month	420.00
Aid to Warrenville Armory	1,000.00
Telephone, Corporal, Highway Department	120.00
Sinking Fund Commission	1,564.73
Social Security	7,500.00
Insurance, Police Cars	1,661.86
Artificial Limb (¼)	500.00
Contingent Fund	10,500.00

Provided, that this Contingent Fund is to be used for the purpose of unforeseen emergencies which might arise upon the authorization of a majority of the Aiken County Legislative Delegation, including the Senator, and a majority of the Board of County Commissioners.

Total, Item 23	\$ 78,055.06
Item 24. Burial of Paupers	\$ 500.00
<i>Provided</i> , that no person after the passage of this act who dies as a pauper shall be buried at what is commonly designated the County Poor Farm,	

but the supervisor and county commissioners are authorized, empowered and directed to bury such person in a recognized cemetery with such appropriate interment rites as may be considered appropriate.

Total, Item 24	\$	500.00
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GRAND TOTAL	\$754,120.40
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Provided, all written authorizations by the present delegation heretofore or hereafter made, when filed with the Clerk of Court, are ratified, but shall not be valid until a copy of same be filed with the clerk of court. *Provided*, further, that no special authority for the expenditure of funds shall be made except in cases of emergency upon twenty-four hours' notice previously given, of such special meetings, with the purpose of the meeting having been previously stated. *Provided*, no alterations of the act shall be made by anyone during the year 1959-1960 not herein expressly provided for. *Provided*, the Senator, with a majority of the Aiken County Legislative Delegation, may make changes or alterations in the terms of this act whenever in their judgment circumstances so justify.

Less Estimated Revenue other than Taxes:

Beer and Wine Tax	\$ 11,600.00
Liquor Tax	39,000.00
Gasoline Tax	185,000.00
Insurance Licenses	34,000.00
For Service Officer	5,100.00
Fines, Commissions, Fees and Miscellaneous ..	140,000.00
Income Tax	45,000.00
Bank Tax	4,500.00
Delinquent Tax	25,000.00

Total Revenue Other Than Taxes	\$489,200.00
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Amount to be Raised by Taxation	\$264,920.40
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PART II**Permanent Provisions**

SECTION 1. It is hereby declared to be the intent of the General Assembly that the following sections shall constitute a part of the permanent law of the State of South Carolina, and therefore Aiken County, and the Code Commissioner is hereby directed to include same in the next edition of the Code of Laws of South Carolina and all supplements to the present Code.

SECTION 2. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund, and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employee, by a majority of the Aiken County Legislative Delegation.

SECTION 3. Sick leave not to exceed ten days per year and paid vacations not to exceed two weeks per year shall be granted county employees at the discretion of department heads.

SECTION 4. Of the amounts appropriated as salaries for municipal law enforcement officers, county law enforcement officers and the assistant rabies control officer in Aiken County the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 5. No bills or claims against Aiken County for supplies purchased or services rendered shall be approved by the supervisor unless such bills or claims shall be approved for payment and no voucher shall be issued for same unless such bills or claims are properly itemized, showing the supplies or article purchased and by whom and the services rendered with the proper dates of such purchases and rendering of such services and duties. All bills over twenty-five dollars must be subscribed and sworn to before a Notary Public or other person authorized to administer oaths.

SECTION 6. The Aiken County Library Board is given power to enter into contracts and agreements with other county library boards

of the state and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor and the efficient use of same in the establishing and improving public library service. *Provided*, however, that in making such contracts the parties thereto shall not exceed in obligation assumed the funds available or to become available for the accomplishment of the objects sought, nor shall the credit of the State or any political subdivision be pledged in the absence of statutory authority.

SECTION 7. All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R336, H1617)

No. 342

An Act To Provide For The Levy Of Taxes For Allendale County For School And County Purposes For The Fiscal Year Beginning July 1, 1959 And Ending June 30, 1960; To Provide For The Expenditure Thereof; To Provide The Amount Of Fees And Expenses To Be Allowed For County Offices And To Provide For The Disposition Of Revenue To Be Derived From Current Levies, Contributions, Revenues, Forfeited Lands And Delinquent Tax Executions.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Allendale County is hereby directed to levy a tax upon all the taxable property of Allendale County for the fiscal year 1959-1960, in a sufficient number of mills to provide for the payment of the items and expenditures hereafter set forth.

SECTION 2. The following amounts are hereby appropriated for the fiscal year 1959-1960:

(A) Roads and Bridges:

- (1) Chain gang and maintenance of Road Work,
Salary of Guard-Material-Lumber, and all ex-
penses, Repairs of Roads and Bridges\$ 12,000.00

(2) Salary—Chain gang Supervisor	2,640.00
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\$ 14,640.00

(B) Salaries:

(1) Clerk of Court	\$ 1,180.00
Expenses	300.00

(2) Sheriff	4,200.00
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Maintenance and operation of auto—Sheriff's office	1,800.00
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Deputy Sheriff	3,000.00
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Expenses	1,200.00
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Police Radio Operator	600.00
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Provided, that the Deputy Sheriff shall be appointed by the Sheriff and shall serve at the pleasure of the Sheriff.

Provided, that the salary and other compensation herein fixed for the Sheriff's office is intended for and shall be in lieu of all fees to which he is entitled under the law from the county for any and all services performed by him of whatever nature or kind; *provided*, however, in the event the Sheriff shall be compelled to travel beyond the borders of Allendale County on official business, he shall be allowed travel expenses at the rate of five cents per mile for one person only. This is in the event he travels by automobile, but if he travels by way of train or bus, he shall be allowed only actual train or bus fare. He shall also be allowed as much as fifty cents per meal and not more than two dollars per day for lodging per person while traveling beyond the borders of Allendale County on official business as aforesaid.

(3) Treasurer	1,600.00
Expenses	300.00

(4) Auditor	1,600.00
Expenses	300.00

(5) Judge of Probate	1,260.00
Expenses	300.00

Provided, that the salary for the Judge of Probate is in lieu of all fees he is entitled to under the law from the county.

(6) Superintendent of Education, Expenses, 1959-1960	600.00
<i>Provided</i> , that the County Board of Directors is hereby directed to transfer in a lump sum the appropriations for the County Superintendent's office to the County Board of Education Fund. The purpose of this transfer is to put the County Superintendent's salary and expenses on the school payroll rather than the county payroll.	
(7) Attorney, retainer	400.00
<i>Provided</i> , the county attorney shall advise the tax collector, when called on, in all matters pertaining to collection of delinquent taxes.	
(8) Coroner	600.00
<i>Provided</i> , that the salary herein provided for coroner shall be in lieu of all fees to which he is entitled from the county for any service whatsoever.	
(9) Tax Collector	1,500.00
Expenses	600.00
(10) Courthouse Stenographer	2,400.00
(11) Janitor for Courthouse and Memorial Building at \$135.00 per month	1,620.00
	\$ 25,360.00
(C) County Health Department:	
(1) Expenses, County Health Nurse	\$ 360.00
(2) Supplies, Office Expenses and Clinical Services for County Health Office	1,740.00
(3) T. B. Inspection Work	400.00
	\$ 2,500.00
(D) Magistrates and Constables:	
Magistrates:	
Allendale and Bull Pond	\$ 1,200.00
Fairfax	1,200.00

Baldock Township	500.00
Millette Township	500.00
Wilson Township	500.00
Sycamore Township	500.00
Constables:	
Allendale and Bull Pond	900.00
Fairfax	900.00
Millette Township	300.00
Baldock Township	300.00
Wilson Township	240.00
Sycamore Township	240.00
	\$ 7,280.00

Provided, the salaries herein appropriated for magistrates and constables are in lieu of all fees payable by the county to which they, or either of them, be entitled; *provided*, further, magistrates and constables shall give bonds in the sum of five hundred dollars, conditioned upon the faithful performance of their duties and the premium thereon paid out of the County Contingent Fund.

(E) County Boards:

(1) Board of Equalization	\$ 100.00
(2) County Board of Directors, four at thirty-five dollars per month	1,680.00
Clerk to County Board of Directors—Salary	1,800.00
Expenses	1,200.00

Provided, that the person filling the above position shall be required to give a surety bond in the sum of one thousand dollars, premium on same to be paid by the county.

\$ 4,780.00

(F) Jail:

(1) Expenses, dieting of prisoners and maintenance	\$ 6,000.00
(2) Jailor, Salary	1,200.00
	\$ 7,200.00

(G) Court Expenses:

(1) Jurors and Witnesses and Sheriff fee for notice	\$ 1,200.00
	\$ 1,200.00

(H) Department of Public Welfare, if so much be necessary	\$ 1,500.00
	\$ 1,500.00

(I) Public Buildings, including water, fuel, light and insurance, if so much be necessary	\$ 6,000.00
	\$ 6,000.00

(J) Printing, Postage and Stationery, Telephone and Telegraph	\$ 4,500.00
	\$ 4,500.00

(K) County Hospital, if so much be necessary	\$ 10,000.00
	\$ 10,000.00

(L) Miscellaneous:

(1) Vital Statistics	\$ 280.00
(2) Publishing Monthly Report	300.00
(3) Rent, Government Farm Office	180.00
(4) Premium on bonds, including Constables	700.00
(5) Post-mortems, Inquests and Lunacies	800.00
(6) Regional Library	1,800.00
(7) Fairfax Library	100.00
(8) County Library	800.00
(9) Girls', Women's Short Courses	75.00
(10) Boys' 4-H Club	75.00
(11) Expense, Home and County Demonstration Agent	150.00
(12) Clerk to Home Demonstration Agent—salary .	1,340.00
(13) Clerk to Home Demonstration Agent—expenses	360.00
(14) Attendance Teacher Scholarship Fund	100.00.
(15) Office Expense, County Farm Agent	150.00
(16) Expenses, Home Demonstration Agent (Colored)	480.00

(17) Retirement Contribution and Social Security ..	2,000.00
(18) Circuit Judge, Office Expense	300.00
(19) Expenses, County Farm Agent	600.00
(20) Workmen's Compensation and Liability Insurance	700.00
(21) Service Officer, Office Expense	300.00
(22) Civil Defense	500.00
	\$ 12,090.00
(M) National Guard, if so much be necessary, as follows:	
(1) Maintenance	\$ 2,000.00
(2) Furniture	2,000.00
	\$ 4,000.00
(N) Audit, County Funds, including Magistrates	\$ 1,500.00
	\$ 1,500.00
(O) Contingent Fund	\$ 7,500.00
	\$ 7,500.00
GRAND TOTAL	\$110,050.00
LESS ESTIMATED REVENUE OTHER THAN TAXES:	
Commutation Road Tax	\$ 2,000.00
Fines and Licenses	9,000.00
Income Tax	14,000.00
Gasoline Tax	37,000.00
Ordinary Levy	1,000.00
Liquor Tax	8,000.00
Beer and Wines	2,000.00
Insurance, Bank and Miscellaneous	4,500.00
Cost of Tax Executions	1,000.00
Total Estimated Revenue	\$ 78,500.00
Amount to be raised by Taxation	\$ 31,550.00

SECTION 3. The amount of commutation tax which shall hereafter be levied in Allendale County shall be the sum of two dollars

per person subject to such tax. Persons actually in the armed service of the country shall, during such service, be exempt from payment of such road tax.

SECTION 4. The costs and expenses of the levy, advertising and sale of lands heretofore or hereafter purchased by the Forfeited Land Commission, under tax sale, shall be paid by the treasurer on warrants of the county board, approved by the county delegation, out of any funds available therefor; *provided*, that the proceeds of the sale of lands sold by the Forfeited Land Commission shall be chargeable with all such costs and expenses, and, if such claims are paid from funds not so realized, then all amounts paid from the general county fund shall be replaced from sales of land when made by the Forfeited Land Commission.

SECTION 5. The sums hereinabove appropriated shall be used only if so much be necessary as to each item hereinabove provided for; *provided*, that any unexpended balance of any appropriation for any particular item may be applied to any other item, or items, for which the amount appropriated is insufficient, or may be used for such other expenditures as shall be approved in writing by the legislative delegation.

SECTION 6. In anticipation of the collection of taxes herein provided for, the county board of directors and the treasurer, with the approval of the legislative delegation, are authorized and empowered to borrow on the credit of the county such sums as are necessary to carry out the provisions of this act, and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the county board of directors, attested by the clerk of such board.

SECTION 7. The sheriff is authorized to empower such trusty convict labor as he may deem desirable in the care and maintenance of the county jail and premises. The county board of directors is hereby authorized to repay all municipalities of the county for chain gang labor received through the courts of such municipalities by work of the county chain gang upon the streets and drainage of such municipalities. *Provided*, that such municipalities shall pay for the dieting of all prisoners while so engaged in work upon the streets or drainage of such municipalities, and shall be liable for any damage to persons or property caused by the use of such convict labor and

machinery, and the county shall not in any way be responsible for such damage.

SECTION 8. Whenever it shall be necessary to meet the expenses of foreclosing of any real estate mortgage owned by or pledged with the county, or to buy in such property on behalf of the county, the payment of such expense shall be made from the contingent fund, or other available funds, and the rents received from such property shall be carried to the general county fund, or restored to the contingent fund, in the discretion of the legislative delegation. Such property may be sold by the county board on the written approval of the legislative delegation, the proceeds of sale to be applied to such account or placed in such fund as the legislative delegation may direct, or as provided in Section 4 of this act.

SECTION 9. The legislative delegation is hereby granted full power and authority to appropriate such additional sums as in its discretion may be deemed necessary for any purpose not herein provided.

SECTION 10. The clerk of court may charge a fee of seventy-five cents for the indexing and recording of all chattel mortgages, crop liens, crop mortgages, and bills of sale, Section 60-8, Code of Laws of South Carolina, 1952, to the contrary notwithstanding.

SECTION 11. All supplies of every kind and nature needed by the county officers of Allendale County shall be purchased by the purchasing agent of the county. Any supplies herein provided to be purchased for county purposes not in accordance with the provisions of this act, by any officers, the County of Allendale will not be liable therefor, and such act shall be an individual act of such officer making such unlawful purchases.

SECTION 12. It shall be unlawful for the County Directors of Allendale County to issue any voucher for the salary of any officer herein provided for before the end of the month that such officer is entitled to receive such salary. All salaries are to be paid on a monthly basis.

SECTION 13. Before the county directors shall issue a voucher to any magistrate of Allendale County for his salary, such magistrate shall present his docket to the county board of directors, showing the disposition of all cases handled by him during each month,

and also present to the county directors a receipt or receipts from the county treasurer for all fines imposed by such magistrate.

SECTION 14. The Forfeited Land Commission for Allendale County is hereby authorized, empowered and directed to rent all property owned and held by the Forfeited Land Commission of Allendale County and pay the proceeds of all rents so collected to the county treasurer in accordance with the provisions of law now existing and no fees shall be charged for such services by the Forfeited Land Commission nor by the tax collector.

SECTION 15. The sums herein appropriated as compensation for the county board of directors shall be in lieu of any expense which they incur in inspection of the various county roads, which inspections shall be made semimonthly by the directors.

SECTION 16. Of the amount appropriated as salaries for municipal law enforcement officers and county law enforcement officers in Allendale County the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active duty from July 1, 1957.

SECTION 17. All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R137, S27)

No. 343

An Act To Repeal Act No. 945 Of The Acts Of 1956 Creating The Anderson Water Authority.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 945 of 1956 repealed.—Act No. 945 of the Acts of 1956, creating the Anderson Water Authority, and all other acts or parts of acts inconsistent herewith are hereby repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R168, H1350)

No. 344

An Act To Authorize The Board Of Trustees Of School District No. 2 Of Anderson County To Borrow Not Exceeding Twenty-Five Thousand Dollars For Additions To And Renovation Of Belton High School Gymnasium, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Anderson County School District 2 may borrow money for Belton High School Gymnasium.—The Board of Trustees of School District No. 2 of Anderson County and the County Treasurer are authorized to borrow on the credit of the district not exceeding twenty-five thousand dollars for additions to and renovation of Belton High School Gymnasium. The indebtedness shall be evidenced by a note or notes, signed by the members of the board and the county treasurer, and shall bear interest at a rate not to exceed four per cent per annum. The note or notes and any renewal or renewals thereof shall mature in not exceeding five years from the original date or dates thereof. The notes, otherwise, shall be in usual form.

SECTION 2. Payment.—In order to provide for the payment of the loan and interest thereon, the county auditor shall levy, and the county treasurer shall collect, annually, a tax on all the taxable property of School District No. 2 of Anderson County. Of the monies received annually by the district from the State Educational Finance Commission, as the district's portion of the annual grant per pupil, which has not been otherwise pledged, the county treasurer, if the same be sufficient, shall place in a special fund a sum necessary to pay the principal and interest falling due in any such year. The annual tax herein directed to be levied shall be suspended if the amount received from the source above mentioned be sufficient to pay all of the amount falling due in any such year; or, if the sum received and applicable to this purpose be sufficient to pay only a portion of the amount falling due in any year, the tax levy shall be reduced proportionately. However, the levy shall not be suspended or reduced unless the money necessary to pay all of the principal and interest or the sum necessary to make up the deficiency in any such year is actually in the hands of the county treasurer.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R51, H1139)

No. 345

An Act Authorizing The Bamberg County Board Of Commissioners To Borrow Forty Thousand Dollars For The Bamberg County Memorial Hospital, And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Bamberg County to borrow money for hospital.—The Bamberg County Board of Commissioners is hereby directed to borrow the sum of forty thousand dollars, if so much be necessary, for constructing and equipping additions to the Bamberg County Memorial Hospital, at the best available terms not to exceed four per cent per annum. The loan shall be retired in four equal annual installments. The Treasurer of Bamberg County is hereby directed to transfer from the Bamberg County Memorial Hospital's account a sufficient sum to meet the annual installments of principal and interest. The full faith, credit and taxing power of Bamberg County are pledged to the repayment of the loan.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R52, H1140)

No. 346

An Act Authorizing The Transfer Of Twenty Thousand Dollars From The General Fund To The Bamberg County Memorial Hospital Account.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Bamberg County to transfer money to hospital.—The Treasurer of Bamberg County is hereby directed to transfer the sum of twenty thousand dollars from the general fund to the Bamberg County Memorial Hospital Account.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R256, H1497)

No. 347

An Act To Authorize The Board Of Trustees Of Bamberg School District No. 1 Of Bamberg County, To Issue Not Exceeding One Hundred Sixty Thousand Dollars Of General Obligation Bonds Of The School District, To Prescribe The Conditions Under Which The Bonds May Be Issued, And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Whereas, the Board of Trustees of Bamberg School District No. 1 has determined that it is essential that a new high school building be built at Bamberg and that a new high school and elementary school be built at Ehrhardt; and

Whereas, the board of trustees has requested the Bamberg County Legislative Delegation to pass necessary legislation to construct and equip these facilities. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly relative to schools in Bamberg and Ehrhardt.—The General Assembly finds that further school facilities in the nature of a new high school building in Bamberg and a new high school and elementary school in Ehrhardt, in Bamberg School District No. 1 are needed, and that with the proceeds of the bonds herein authorized and other funds available for such purposes, such buildings can be constructed and equipped. It has therefore determined to authorize the board of trustees of the school district, under the conditions herein described, to acquire such facilities.

SECTION 2. Trustees of Bamberg School District 1 may construct and equip school buildings in Bamberg and Ehrhardt.—The Board of Trustees of Bamberg School District No. 1 of Bamberg County are empowered to construct and equip a new high school building in Bamberg and a new high school and elementary school at Ehrhardt, in Bamberg School District No. 1.

SECTION 3. Bond issue authorized—use of proceeds.—In order to obtain funds for the purposes above set forth, the board of trustees may issue not exceeding one hundred sixty thousand dollars of general obligation bonds of Bamberg School District No. 1 of Bamberg County, the State of South Carolina. The proceeds derived from the sale of such bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of interest to become due on such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire the further school facilities for the district as authorized by Section 2 of this act.

(d) If any balance remain, the same shall be held by the Treasurer of Bamberg County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 4. Issue—maturity—redemption—denomination—interest—registration—dates—where payable.—The bonds shall be issued as a single issue. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board, except that the maturity date of the last installment shall fall due not later than twenty years from the date the bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board of trustees, contain a provision permitting its redemption at such premiums as the board shall prescribe. The bonds shall be of such denomination, shall bear such rates of interest as the board of trustees may determine, payable on such occasions as the board shall determine, but the average rate of interest for the issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Bamberg County, and the principal thus made payable to the

registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the board of trustees may prescribe. They shall bear such date or dates and be payable at such place or places as the board of trustees may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereto attached shall be executed in such manner as the board of trustees shall prescribe.

SECTION 6. Sale—notice.—The bonds shall be sold by the board of trustees at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Tax exempt.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 8. Payment—tax levy.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Bamberg School District No. 1 of Bamberg County, the State of South Carolina, is hereby irrevocably pledged, and there shall be levied annually by the Auditor of Bamberg County and collected by the Treasurer of Bamberg County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 9. Actions of trustees—quorum.—Any action required of the Board of Trustees may be taken at any meeting of the board of trustees, regular or special, and at such meeting a majority of the members of the board of trustees shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board of trustees by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R325, H1653)

No. 348

An Act To Authorize The Governing Body Of Bamberg County To Purchase A Site And Construct An Auxiliary Health Center Thereon In The City Of Denmark And To Provide Funds Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Bamberg County to purchase site and construct auxiliary health center in Denmark.—The governing body of Bamberg County may purchase land and construct an auxiliary health center thereon in the City of Denmark.

SECTION 2. Payment therefor.—The Treasurer of Bamberg County shall pay from the general fund of the county an amount sufficient to carry out the provisions of this act, not to exceed eight thousand dollars; *provided*, that the City of Denmark shall pay to the Treasurer of Bamberg County five thousand five hundred dollars of this amount toward the purchase of the land and the constructing and equipping of the auxiliary health center.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R326, H1654)

No. 349

An Act To Authorize And Direct The Supervisor Of Bamberg County To Borrow The Sum Of Sixty Thousand Dollars For Ordinary County Purposes, To Execute Obligations Of The County As Evidence Of Such Indebtedness, And To Provide A Tax

And Pledge The Full Faith, Credit And Taxing Power Of The County To Secure The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Bamberg County to borrow money for county purposes—issue notes — maturity — interest — where payable.—

The Supervisor of Bamberg County is authorized, empowered and directed to borrow on the credit of Bamberg County the sum of sixty thousand dollars, the proceeds of which shall be used for ordinary county purposes. The supervisor is authorized to execute and deliver notes or other obligations of Bamberg County as evidence of this indebtedness, which obligations shall mature at such times as the supervisor may determine, but shall mature not later than ten years from the date of issue. Such notes or other obligations shall bear such rate or rates of interest as the supervisor shall prescribe and may contain provisions for anticipation prior to maturity. The notes or other obligations shall be payable at such place or places as the supervisor may designate and when issued shall be and constitute legal and binding obligations of Bamberg County.

SECTION 2. Payment—tax levy.—It shall be the duty of the Auditor of Bamberg County to levy a tax on all of the taxable property in Bamberg County sufficient to meet the obligations herein authorized as they mature, and of the Treasurer of Bamberg County to collect the taxes on all of the taxable property in Bamberg County, and to apply the proceeds of the levy and any other funds in his hands applicable to such purpose to the payment of the indebtedness herein authorized as the same matures.

SECTION 3. Pledge for payment.—The special levy herein directed to be imposed together with the full faith, credit and taxing power of the County of Bamberg is irrevocably pledged to the payment of all such obligations issued pursuant to the authority contained herein as the same mature.

SECTION 4. Tax exempt.—The obligations issued pursuant to this authority are exempt from the payment of all county, state and municipal taxes.

SECTION 5. Saving clause.—If any portion or provision of this act be for any reason declared to be invalid, such invalidity shall not affect the remaining portions thereof.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R499, H1692)

No. 350

An Act To Provide For The Levy Of Taxes For County Purposes In Bamberg County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And For The Expenditure Thereof; To Fix The Compensation Of Certain Officers; And Otherwise Relating To The Fiscal Affairs Of Bamberg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Bamberg County is hereby directed to levy a tax of five mills on all of the taxable property in Bamberg County, the proceeds thereof to be turned over to the trustees of Bamberg County Memorial Hospital to be used by them in supplementing other revenue received by the trustees in operating the hospital during the fiscal year beginning July 1, 1959, and ending June 30, 1960. In the event that the funds are not needed for this purpose during the fiscal year ending June 30, 1960, then the funds are to be held by the Treasurer of Bamberg County until they are needed for such purposes.

The trustees of the hospital are authorized to refer all cases requesting hospital assistance to the Department of Public Welfare of Bamberg County, and the Department of Public Welfare is authorized and directed to investigate and make recommendations as to all such cases.

SECTION 2. The Auditor of Bamberg County is hereby directed to levy a tax on all of the taxable property in the County of Bamberg for ordinary county purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, the revenue derived from such tax and other funds to be expended in the amounts and for the purposes hereinafter stated:

Item 1. Roads and Bridges:

Convicts and maintenance of road-working organization; materials used in and for general operating expenses of plant for manufacturing of concrete bridge materials; and salaries of chain gang foreman, guards and mechanic; also for purchasing new road machinery, trucks, equipment and repairs, if so much be necessary . . . \$ 33,500.00

Total, Item 1 . . . \$ 33,500.00

The supervisor shall deliver to each member of the Legislative Delegation, on or before the tenth day of each month, an itemized statement showing the amount of each disbursement made during the preceding month, to whom paid, and for what the voucher was issued.

Item 2. Clerk of Court's Office:

Salary of Clerk . . . \$ 1,685.00
Clerical Help . . . 820.00

Total, Item 2 . . . \$ 2,505.00

Item 3. Judge of Probate's Office:

Salary of the Judge of Probate and Acting Master . . . \$ 4,125.00
Clerical Help . . . 820.00

Total, Item 3 . . . \$ 4,945.00

In addition to the amount appropriated herein for the salary of the Clerk of Court, he shall also retain all fees collected by his respective offices as now provided by law. All usual fees of Judge of Probate's and Master's Office go into general fund of the county.

Item 4. Auditor's Office:

Salary of Auditor, \$4,125.00 less \$3,300.00 contributed by the State . . . \$ 825.00
Clerical Help . . . 820.00
Travel Expense . . . 300.00

Total, Item 4 . . . \$ 1,945.00

Item 5. Treasurer's Office:

Salary of Treasurer, \$4,800.00 less \$3,300.00 contributed by the State	\$ 1,500.00
Clerical Help	145.00
Travel Expense	200.00
Total, Item 5	\$ 1,845.00

Item 6. Sheriff's Office:

Salary of Sheriff	\$ 3,525.00
Salary of Deputy Sheriff	3,000.00
Salary of Deputy Sheriff	3,000.00
<i>Provided</i> , that one of the above deputies shall also act as constable for the magistrate at Bamberg.	
<i>Provided</i> , further, that one of the deputy sheriffs shall be designated by the Sheriff to collect taxes and shall work at this for at least forty hours each and every week. A complete monthly report shall be filed with the County Delegation and the Supervisor. The Supervisor shall not disburse any amounts, including salaries, under this item unless the report has been filed for the preceding month.	
For use of auto, maintenance and travel expenses of Sheriff	2,400.00
Travel subsistence allowance—\$600.00 for each deputy sheriff—to be paid on monthly basis ..	1,200.00
Gas, oil and upkeep of two cars owned by county and used by deputy sheriffs, if so much be necessary	1,600.00
To purchase uniforms for Sheriff and deputies	300.00
To purchase photo supplies, ammunition, etc., if so much be necessary	200.00
Clerical Help for Sheriff's Office	820.00
For Radio repair and service	300.00
Total, Item 6	\$ 16,345.00

Item 7. Superintendent of Education's Office:

Salary, \$4,125.00, all paid by State	
Clerical Help	\$ 660.00

	For use of auto, maintenance and travel expense	480.00
	Total, Item 7	\$ 1,140.00
Item 8.	Supervisor's Office:	
	Salary of Supervisor	\$ 2,422.00
	Salary of Clerk	1,923.00
	For use of auto, maintenance and travel expense	525.00
	Two county commissioners @ \$396.00 each.	792.00
	Total, Item 8	\$ 5,662.00
Item 9.	Coroner's Office:	
	Salary of Coroner	\$ 440.00
	For traveling expense and stenographic fees for taking and transcribing testimony	120.00
	Total, Item 9	\$ 560.00
Item 10.	Jail:	
	Salary of Jailer	\$ 1,000.00
	Jail expenses, including dieting of prisoners, if so much be necessary; <i>provided</i> , that the jailer shall be allowed eighty-five cents a day for each prisoner (any city prisoner to pay county two dollars turnkey, and eighty-five cents a day for dieting)	4,500.00
	Total, Item 10	\$ 5,500.00
Item 11.	Miscellaneous Salaries:	
	Attorney	\$ 440.00
	Physician	440.00
	Maid at Courthouse	520.00
	Janitor for Courthouse	936.00
	Clerical Help, School Lunch Supervisor	759.00
	Clerical Help, Home Demonstration Agent's Office	660.00
	Part salary, Negro Home Demonstration Agent	672.00
	Clerical Help, Negro Farm and Home Demonstration Agents	240.00
	Total, Item 11	\$ 4,667.00

Item 12. County Boards:

Board of Education	\$ 400.00
Board of Equalization	600.00

Total, Item 12\$ 1,000.00

Item 13. For the purchase of furniture and equipment for the various county offices, if so much be necessary, with expenditures from this appropriation to be first approved by the county delegation

\$ 1,500.00

Total, Item 13\$ 1,500.00

Item 14. Court Expenses\$ 3,320.00

Provided, that jurors and bailiffs shall be paid five dollars per day for services in attendance upon courts. Jurors in magistrates' courts in criminal cases and jurors in coroner's court one dollar per day, to be paid upon warrants of the magistrates or coroner. *Provided*, further, that out of the funds herein appropriated for Court Expenses, the Resident Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of \$820.00.

Total, Item 14\$ 3,320.00

Item 15. Magistrates' and Constables' Salaries:

Magistrate at Bamberg	\$ 1,454.00
Constable at Bamberg (Deputy Sheriff acts as Constable)	
Magistrate at Denmark	792.00
Constable at Denmark	500.00
Magistrate at Olar	550.00
Constable at Olar	360.00
Magistrate at Ehrhardt	550.00
Constable at Ehrhardt	360.00
Magistrate at Fishpond Township	455.00
Constable at Fishpond Township	303.00

Provided, that if the Magistrates for the Towns of Bamberg, Denmark, Olar and Ehrhardt do not live in the respective towns, they shall estab-

lish office hours in the towns on Saturdays from 10:00 A. M. to 4:00 P. M. of each week, and be available during such time for official duties.

Total, Item 15	\$ 5,324.00
Item 16. Welfare Department (State):	
For Emergency Relief	\$ 1,000.00
All cases receiving assistance from this fund to be approved by a majority of the board. <i>Provided</i> , that the director may approve cases needing immediate attention and in which suffering would result if assistance was delayed, but in such cases he shall make a full report showing the nature of the emergency and the amount given each recipient at the next meeting. A monthly report of all expenditures shall be made to the county delegation.	
Total, Item 16	\$ 1,000.00
Item 17. Public buildings, including water, fuel, lights, telephone, insurance and purchase of cleaning materials and tools for buildings and grounds, and for repairs to county property	\$ 6,000.00
Total, Item 17	\$ 6,000.00
Item 18. Post-mortems, inquests and lunacies	\$ 650.00
Total, Item 18	\$ 650.00
Item 19. Printing, Postage and Stationery	\$ 3,500.00
<i>Provided</i> , that itemized bills for all expenditures out of this sum shall be filed with the County Supervisor before payment is made. <i>Provided</i> , further, that the amount be apportioned to the various offices on approximately the same basis as heretofore used by these offices, and that no office or officer shall be allowed to use during the current year an amount in excess of the sum apportioned by the County Board.	
Total, Item 19	\$ 3,500.00

Item 20. County Health Department, if so much be necessary, the amount to be determined by the Bamberg County Legislative Delegation and the Bamberg County Health Department		3,510.00
For Rabies Control		100.00
Tuberculosis work in county		600.00
Total, Item 20		\$ 4,210.00
Item 21. Miscellaneous :		
(a) Vital Statistics	\$	225.00
(b) Premium on Bonds		600.00
(c) For auditing county books for 1958-1959....		1,360.00
(d) Boys' 4-H Work		75.00
(e) Girls' and Women's 4-H Work		75.00
(f) Negro Boys' 4-H Work		75.00
(g) Negro Girls' and Women's 4-H Work		75.00
(h) Demonstration Supplies for Home Agent...		50.00
(i) Demonstration Supplies and photographic material for Farm Agent, if so much be necessary		100.00
(j) Bamberg Public Library		1,750.00
(k) For Burial of Paupers		150.00
(l) Rent for Federal Projects and for County Agencies, if so much be necessary		172.00
(m) To pay premium for Workmen's Compensation Insurance for county officials and employees, if so much be necessary		600.00
(n) For retirement of county officers and employees, if so much be necessary		1,310.00
(o) Social Security for county employees		1,100.00
(p) (1) For National Guard, to be expended upon vouchers approved by the Captain of the National Guard		1,000.00
(p) (2) To purchase furniture and equipment for new National Guard Armory		2,000.00
(q) Edisto Soil Conservation District, to purchase equipment to be used for farm work in Bamberg County		500.00
(r) To supplement salary of County Farm Demonstration Agent		300.00
(s) DHIA Association—Equipment		300.00

(t) Janitor for Health Department and Welfare Department, and to care for Courthouse grounds under supervision of Health Department		800.00
(u) Fertilizer and improvements for Courthouse shrubbery		200.00
(v) Official Expenses—Circuit Judge (to be paid upon warrant of Circuit Judge)		720.00
Total, Item 21		\$ 13,537.00
Item 22. Contingent Fund		\$ 10,000.00
To be used only with the written approval of the Bamberg County Delegation.		
Total, Item 22		\$ 10,000.00
Item 23. Bamberg County Planning and Development Board, to be paid upon vouchers approved by the chairman and secretary, if so much be necessary		\$ 250.00
Total, Item 23		\$ 250.00
Item 24. For annual expenses, maintenance and operation of the J. C. Kears Agriculture Building, if so much be necessary		\$ 3,675.00
<i>Provided</i> , that all Federal agencies with offices located in said building shall pay to the General Fund of Bamberg County their proportionate share of the above cost based on a square footage occupancy.		
Total, Item 24		\$ 3,675.00
GRAND TOTAL		\$132,580.00
Estimated Revenue:		
Fines and Licenses		\$ 15,700.00
Commutation Road Tax		2,500.00
Gasoline Tax (one cent)		48,000.00
Insurance Licenses		6,800.00
Liquor Tax		12,000.00
Beer and Wine Tax		3,500.00
Execution Fees		3,000.00

Income Tax	15,240.00
Bank Tax	1,600.00
Diversion from hospital millage	5,000.00
Miscellaneous	1,500.00
Total, Estimated Revenue	\$114,840.00
Amount to be raised by taxation	\$ 17,740.00

SECTION 3. The appropriation made under the foregoing section for the office of Sheriff and the Office of Treasurer of Bamberg County is intended to be full compensation for their respective services, including expenses, in lieu of all tax execution fees, and all tax execution fees collected for such offices shall be by them, respectively, paid over to the treasurer and by him credited to the General County Fund. *Provided*, that all mileage and docketing fees shall be turned over to the treasurer and placed in the Sheriff's auto maintenance and traveling expenses fund.

SECTION 4. No charge shall be made by the auditor for entries upon the books of his office of any transfer of real estate by deed or other written instruments.

SECTION 5. The commutation road tax shall be considered as a part of the revenue of the county for road purposes, and is not to be expended in addition to the amount appropriated in Item 1 of this act.

SECTION 6. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance in hand at the expiration of the fiscal year shall revert to the general fund of the county.

SECTION 7. Should there be any deficit in any item of the 1958-1959 Supply Act or should any deficit occur in any item under the provisions of this act, the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account; and if the surpluses from such items are insufficient to cover the deficits, then there is hereby appropriated out of the General Fund of Bamberg County a sufficient amount to cover such deficits, provided the payment of same has been authorized in writing by the Bamberg County Legislative Delegation.

SECTION 8. No expense allowed under this act shall be paid out in bulk, but is to be for actual expenses incurred in official business, and the supervisor is hereby required to demand and retain proper itemized and verified vouchers for each such expenditure.

SECTION 9. It shall be unlawful for the county supervisor or board of commissioners to make any contracts to purchase or to make purchases for an amount exceeding one thousand dollars without the written consent of the Legislative Delegation.

SECTION 10. Any expense incurred by reason of failure of an officer of the county to perform the duties of his office, as required by law, shall be deducted from the salary of the officer so failing to perform his duty.

SECTION 11. No warrant shall be issued to pay any magistrate and his constable until the end of the month and until such magistrate has filed his report of the proceedings of his court and until such magistrate shall have filed a bond as provided by law.

SECTION 12. The county treasurer is authorized and directed to mail to every taxpayer the same form of notice as provided for under the terms of Section 11 of the Supply Act of Bamberg County for the year 1943.

SECTION 13. The clerk of court is hereby authorized and directed to charge the sum of fifty cents to satisfy any real estate mortgage, provided that the satisfaction is in the form as authorized under item (1) of Section 45-65 of the 1952 Code. For recording chattel mortgages for amounts under one hundred dollars, the clerk is hereby authorized and directed to charge the same fee as any chattel mortgage, regardless of the amount of such mortgage.

SECTION 14. All chattel mortgages will be recorded in same books and indexed accordingly.

SECTION 15. All taxes other than merchants' and corporation taxes due the county prior to and including taxes for the year 1954 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County, on or before November 1, 1959.

All merchants' and corporation taxes due the county prior to and including taxes for the year 1958 shall be collected, nulla bona, or levied upon by the Sheriff of Bamberg County on or before November 1, 1959.

SECTION 16. The Resident Circuit Judge and the Resident Retired Circuit Judge shall be entitled to the same benefits as any other county official.

SECTION 17. A certain sum to be determined under the provisions of an act of 1959, bearing Ratification No. 417, shall be placed in the General Fund of the county, which amount shall be diverted from hospital millage by the Treasurer of Bamberg County. The estimated revenue from this source has been reflected in the estimated revenue portion of this act, thereby allowing a reduction in the estimated revenue from Income Tax.

SECTION 18. The Treasurer of Bamberg County is hereby authorized and directed to turn over to the Bamberg County Planning and Development Board such sums of money as may be directed by the Bamberg County Delegation. The funds are to be used by the Bamberg County Planning and Development Board for such projects as in the discretion of the board will tend to relieve employment in the county and stimulate business within the county.

SECTION 19. The amount expended for the purchase of an automobile by the Sheriff's Department—\$1,884.90—is hereby confirmed.

SECTION 20. The amount expended for the purchase of a truck for the county board of commissioners—\$2,133.82—is hereby confirmed.

SECTION 21. The transfer of \$4,000.00 from the General Fund of the County to Item 1 of the 1958 Appropriation Act is hereby confirmed.

SECTION 22. The sum of \$600.00 shall be paid by the county board of education for extra library services at the rate of \$50.00 per month for one year only, beginning July 1, 1959, and ending June 30, 1960.

SECTION 23. School District No. 2 of Bamberg County may borrow thirty thousand dollars for a period of one year at the best terms available. This amount and interest shall be paid from the existing school levy.

SECTION 24. The Bamberg County Health Officer, Dr. L. A. Hartzog, shall continue to be employed as health officer for the fiscal year 1959-1960 regardless of retirement age.

SECTION 25. All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R472, H1023)

No. 351

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Barnwell County For the Fiscal Year Beginning July 1, 1959, And To Provide For The Expenditure Thereof; To Fix The Road Tax; To Authorize The Clerk Of Court To Destroy Certain Records; To Create A County Board Of Health; To Provide For Certain Tax Exemptions; To Require Magistrates Of The County To Give Statements For Fines Received; And To Otherwise Provide For The Fiscal Affairs Of Barnwell County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. That the county auditor of Barnwell County is hereby directed to levy a tax on all the taxable property of the County of Barnwell for county purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, sufficient to pay the following appropriations:

Item 1. Roads and Bridges:

Convicts and Maintenance road working organizations	\$ 22,000.00
	\$ 22,000.00

Item 2. Clerk of Court's Office:

Salary of Clerk of Court	\$ 1,000.00
Salary of Assistant Clerk	1,368.00
Indexing births and deaths	200.00
Recording discharge of soldiers and sailors ...	150.00
Repairing and binding books, if so much be necessary	200.00
Telephone	102.36
	\$ 3,020.36

Provided, that the fee that may be charged by the Clerk of Court for Barnwell County for the recording, filing, indexing and/or registering of any mortgage or other instrument conveying a lien on crops growing or to be grown and/or personal property and made to any corporation organized under the Act of Congress known as the Farm Credit Act of 1933, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation, or the Government of the United States or any department, agency, instrumentality, or officer thereof, shall be fifty (50¢) cents; *provided*, that a copy or duplicate of such instruments be furnished to the recording officer. That Barnwell County is specifically excepted from the provisions of Sections 27-60, 27-61, 27-66, 60-2 and 60-303, Code of Laws of South Carolina, 1952; *provided*, further, that in addition to the fee hereinabove fixed for recording chattel mortgage, the Clerk of Court may charge an additional fee of twenty-five (25¢) cents, when he is required to search the records before recording any such mortgage. And, *provided*, further, that notwithstanding Section 27-52, Code of Laws of South Carolina, 1952, in Barnwell County the Clerk of Court shall receive for recording deeds without dower a fee of \$2.00; deeds with dower a fee of \$2.25; chattel mortgages a fee of \$1.50; and chattel mortgages with assignment a fee of \$2.00.

Provided, that the Clerk of Court is authorized and directed to remove from the active shelves of the Clerk's office and store or destroy all old chattel mortgage records ten (10) years of age or older.

Item 3. Sheriff's Office:

Salary of Sheriff	\$ 3,000.00
For use of auto, maintenance and travel expense of Sheriff	2,000.00
Salaries of two Deputy Sheriffs, to be appointed by the Sheriff (\$2,200.00 each)	4,400.00
For use of their cars, maintenance and travel, expenses of two Deputy Sheriffs (\$1,719.96 each)	3,439.92
Salary of Clerk	1,650.00
	\$ 14,489.92

Item 4. Treasurer's Office:

Salary of Treasurer	\$ 1,200.00
Salary of Clerk	1,920.00
Telephone	102.36
Assistant Clerk, two months @ \$150.00 per month	300.00
	\$ 3,522.36

Item 5. Auditor's Office:

Salary of Auditor	\$ 1,200.00
Traveling Expenses of Auditor	300.00
Salary of Clerk	1,920.00
Salary of Assistant Clerk (10 months @ \$150.00 per mo.)	1,500.00
Telephone	102.36
Repairing and binding books, if so much be necessary	200.00
	\$ 5,222.36

Item 6. Board of Education:

Salary of Clerk	\$ 1,500.00
Travel, Attendance Teacher	400.00
Members of County Board, each \$150.00	1,050.00
	\$ 2,950.00

Provided, that in addition to the salary provided for the County Board of Education there shall be allowed ten (10¢) cents per mile travel

going to and returning from official meetings of the Board.

Item 7. Judge of Probate's Office:

Salary of Judge of Probate and Acting Master ..	\$ 1,700.00
Salary of Clerk	1,440.00
	\$ 3,140.00

Provided, that the fees charged by the Judge of Probate for acting Master shall be the same as those heretofore provided by law for the Master, in the Code of Barnwell County.

Provided, further, that any general law to the contrary notwithstanding, except any general legislation passed in 1952, the fees charged by the Judge of Probate of Barnwell County shall be those provided for in Section 27-308, Code of Laws of South Carolina, 1952.

Item 8. Coroner's Office:

Salary of Coroner	\$ 900.00
	\$ 900.00

Item 9. County Board of Managers:

Salary of Supervisor of Roads	\$ 2,500.00
Traveling Expenses for Supervisor	1,700.00
Salary of County Managers, five @ \$400.00 each	2,000.00
Travel Expenses for Chairman	100.00
Salary of Clerk	2,400.00
Printing, postage and stationery	4,800.00
Contribution to the poor and needy of Barnwell County, to be expended under the direction of the County Board of Managers to cases not otherwise covered by law	2,000.00
Emergency Relief, to be disbursed under direction of the Department of Public Welfare ..	2,500.00
Travel for Child Welfare Worker	480.00
Expenses, Director Barnwell County DPW investigating hospital cases	300.00
	\$ 18,780.00

Provided, that no charity patient shall be admitted to the Barnwell County Hospital unless certified by the Barnwell County Department of Public Welfare.

Provided, that the item for printing, postage and stationery shall, by the County Board of Managers, be apportioned in the various offices in Barnwell County entitled to use said fund on a basis of the ratio hereinabove used, and no office or officer shall be allowed to use during the current year an amount in excess of the sum so apportioned by the said County Board of Managers.

Provided, further, that the farm lands owned by the County and operated as the Poor House Farm shall be used by the County Board of Managers in its discretion for the growing of food stuffs for use by the County Chain Gang, or for distribution among the poor of Barnwell County.

Item 10. Tax Collector's Office:

Salary of Tax Collector	\$ 1,800.00
Traveling Expenses for Tax Collector	600.00
	\$ 2,400.00

Item 11. Magistrates and Constables:

Magistrate at Barnwell	\$ 2,400.00
Constable at Barnwell	780.00
Magistrate at Blackville	780.00
Constable at Blackville	780.00
Magistrate at Williston	780.00
Constable at Williston	780.00
Magistrate at Hilda	540.00
Constable at Hilda	540.00
Magistrate at Red Oak	540.00
Constable at Red Oak	540.00
	\$ 8,460.00

Provided, That no warrant shall be issued to pay any Magistrate and his Constable until at

the end of each month and such Magistrate has filed his report of the proceedings in his Court and accounted for all monies collected.

Item 12. County Jail:

Dieting prisoners\$ 2,480.00
The Sheriff shall act as Jailor without additional compensation.

\$ 2,480.00

Item 13. Court Expenses:

Court Expenses\$ 2,500.00
Secretarial Help for the Judge of the Second
Judicial Circuit 500.00

\$ 3,000.00

Item 14. Health Work:

Salary of Physician, County Jail\$ 120.00
Physician to County Chaingang 120.00
Contribution to operation of County Health Department to match State funds, as provided by law 3,453.20

Vital Statistics:

To pay local Vital Statistics Registrars, if so much be needed 300.00
Contribution to Tuberculosis Work 500.00

\$ 4,493.20

Provided, That all monies expended by the County Health Department shall be spent upon the written approval of the Barnwell County Legislative Delegation.

Item 15. Public Buildings, including water, fuel, lights, insurance, also salary and expense of \$3,300.00 for Superintendent and Maintenance Engineer for all Public Buildings, including Courthouse, Office Building, Health Building, County Jail, Agricultural Building, County Farm Prison Building, and County Library\$ 18,000.00

\$ 18,000.00

Item 16. Farm and Home Demonstration Work:

County Agent's Work:	
County Agent, part salary	\$ 300.00
Assistant County Agent, part salary	240.00
Boys' 4-H Club Work	50.00
Contingent, stamps, etc., for County Agent and Assistant County Agent	50.00
White Home Demonstration* Agent:	
Girls' 4-H Club work and Women's HD work	75.00
Demonstration supplies for Home Demonstration Agent	50.00
Contingent, stamps, etc., for Home Demonstration Agent	25.00
Secretary, salary, for Home Demonstration Agent	420.00
Telephone for County Agent and Home Demonstration Agent	95.00
Negro Agricultural Agent:	
Negro Boys' 4-H Club Work	50.00
Telephone for Negro Agricultural and Home Demonstration Agents	100.00
Contingent, stamps, etc., for Negro Agricultural Agent	25.00
Clerk, salary, Negro Agricultural and Home Demonstration Agent	960.00
Negro Home Demonstration Agent:	
Salary, Negro Home Demonstration Agent ..	1,044.00
Negro Girls' 4-H Club Work and Women's HD Work	75.00
Demonstration Supplies for Negro HD Agent	50.00
Contingent, stamps, etc., for Negro HD Agent	25.00
Janitor's service, office rent, lights and water for Extension Service Offices	240.00
Barnwell Soil Conservation District	350.00
\$ 4,224.00	

Item 17. Regional Library Board, including water, fuel, lights, also salaries, purchase of books and periodicals, book binding, library supplies, Book-mobile operation and insurance, miscellaneous

items, and Librarian's expenses to S. C. Library
Association meeting \$ 7,653.38

\$ 7,653.38

Provided, That upon the approval of the County Delegation of Barnwell County the Library Board of Barnwell County is authorized to enter into contracts and agreements with other county library boards of the State, and the South Carolina State Library Board and to fully cooperate therewith in encouraging and promoting the establishment and use of libraries, the procurement of funds therefor and the efficient use of such funds in establishing and improving public library service.

Item 18. Miscellaneous:

Premium on Bonds	\$ 900.00
Post Mortems, Lunacy and Inquests	600.00
County Attorney	150.00
Board of Equalization	1,300.00
County Audit	1,200.00
S. C. Industrial Commission	1,580.57
S. C. Retirement System	3,483.26
Social Security Trust Fund	1,850.00
Contribution to Richardson-Walsh American Legion Hut	200.00
Contribution to American Legion Post at Wil- liston	200.00
Contribution to American Legion Post at Black- ville	200.00
Contribution to Barnwell County National Guard Maintenance Fund	750.00
Blue Cross-Blue Shield	1,363.20
Miscellaneous Contingent Fund	6,500.00

\$ 20,277.03

GRAND TOTAL \$145,012.61

Less Estimated Revenues other than Taxes:

Fines and Licenses	\$ 8,500.00
Commutation Tax	3,000.00
Gasoline Tax (1 cent)	63,000.00
Insurance License Fees	8,500.00
Liquor Tax	13,000.00
Income Tax	19,000.00
Miscellaneous	1,500.00
	\$116,500.00

Amount to be Raised by Taxation \$ 28,512.61

SECTION 2. On and after the passage of this act, until specifically repealed, the road tax in Barnwell County shall be \$2.00 per year.

SECTION 3. The contingent fund herein created shall be spent only upon the written approval by the Legislative Delegation after being first approved by the County Board of Managers.

SECTION 4. The county jail physician and the county health officers are hereby constituted the board of physicians to examine all lunacy cases. Post mortem examinations in all cases of death shall be made by some local physician residing near the scene, and shall be paid for at the usual rate from the appropriation herein made for that purpose.

SECTION 5. The County Board of Managers shall publish annually at the end of each fiscal year in a newspaper having general circulation in the county a report showing all the expenditures made by the said County Board of Managers during the said fiscal year.

SECTION 6. No claim shall be approved or warrant issued therefor unless claims be itemized and sworn to.

SECTION 7. *Provided,* That in case of vacancy by death, resignation or otherwise in the office of any magistrate, constable, or other officer in Barnwell County, the salary, expenses or other emolument shall be paid to only a successor who has been recommended for appointment by the Senator and Member of the House Delegation from Barnwell County.

SECTION 8. *Provided*, That at the end of the fiscal year 1959-60 the county treasurer is hereby authorized and directed to transfer any surplus appearing in any account to any deficit appearing in any other account, and if the surpluses are not sufficient to cover deficits the treasurer is authorized and directed to charge said deficit against any surplus funds in hand, upon the written authority of the Legislative Delegation.

SECTION 9. In anticipation of the collection of taxes herein provided for, the Board of County Managers and the treasurer are authorized and empowered to borrow, on the credit of the county, such sums as are necessary to carry out the provisions of this act and to pledge current taxes in payment therefor. Such obligations shall be signed by the treasurer and the chairman of the Board of County Managers, attested by the clerk of such board.

The county treasurer is hereby authorized upon the approval of the Barnwell County Legislative Delegation at any time to borrow any such sum or sums of money on the credit of the county, as are necessary, for county purposes including necessary contributions to the maintenance and support of the Barnwell County Hospital.

SECTION 10. All American Legion Huts in Barnwell County are exempted from county taxes.

SECTION 11. All magistrates hereafter elected and/or appointed before qualifying shall file with the County Board of Managers good and sufficient bond conditioned for the faithful performance of their duties in the sum of \$500.00 which said bond shall be approved by the County Board of Managers.

SECTION 12. That no lunatic shall hereafter be confined in or committed to the county jail except for a period not exceeding five days awaiting transfer to the State Hospital; and the Probate Judge shall make no charge for any lunacy proceedings held unless the lunatic in question shall actually be committed to the State Hospital.

SECTION 13. The County Board of Managers and/or Supervisor are hereby directed to furnish from the chaingang a suitable trusty or trustees to be assigned for work in and about the courthouse, Barnwell County Hospital and other public buildings and grounds, for the maintenance and upkeep of same, and such shall be under the direction and control of the Superintendent and Maintenance En-

gineer for Public Buildings. *Provided*, The Board of Managers is authorized and directed to assign a trusty from the chaingang as a laborer at the county jail.

SECTION 14. The charge for weighing cotton in Barnwell County shall be twenty cents per bale, one-half of which shall be paid by the buyer and one-half by the seller.

SECTION 15. In the expenditure of the money appropriated in this act, only one-twelfth shall be spent each month, unless upon the written approval of the Legislative Delegation.

SECTION 16. There is hereby created a County Board of Health for Barnwell County, which shall be constituted as follows: a medical doctor to be named by the Barnwell County Medical Association, a veterinarian to be named by the veterinarians of Barnwell County, one citizen to be named by the Mayor and Town Council of the Town of Barnwell and one citizen to be named by the Mayor and Town Council of the Town of Blackville and one citizen to be named by the Mayor and Town Council of the Town of Williston. Said Board shall organize and elect a chairman and a secretary; it shall establish rules and regulations and enforce the same to the end that the health of the people of Barnwell County shall be promoted and protected. Said Board shall have all the powers and authorities usually performed by a Board of Health, shall meet on the call of the chairman at such times as the public health requires, in cases of emergency and otherwise, and the members shall receive a per diem of \$5.00 each per day in attendance upon meetings of the Board and travel at 5¢ per mile to and from their places of residence.

SECTION 17. All expenditures heretofore made upon the approval of the Barnwell County Board of Managers or the County Delegation from either the general, special or surplus funds of the county are hereby approved and ratified.

SECTION 18. Any overdrafts authorized by the County Board of Managers or by the County Delegation shall be charged to the general funds of the county and any funds so far or hereafter paid out in accordance with this plan are hereby validated.

SECTION 19. Grand and petit jurors shall each hereafter be paid at the rate of \$5.00 per court attendance day.

SECTION 20. *Provided,* That the maintenance and supervision of all public buildings in Barnwell County shall be under the supervision of the County Supervisor, and the office hours and the days the said offices shall be open shall be designated by the County Board of Managers.

SECTION 21. *Provided,* That the auditor and treasurer are hereby authorized and directed to levy and collect a tax of three mills on all the taxable property of Barnwell County not exempt by law, for the operation and maintenance of the Barnwell County Hospital.

SECTION 22. That all machinery, buildings and equipment of the Barnwell Garment Company, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1957. That the Blackville Manufacturing Company and the Blackville Industrial Board, Inc., are hereby exempted from all municipal, county and school taxes for a period of five years beginning January 1, 1959. This tax exemption shall also apply to any and all new manufacturing business enterprises of the same investment and above locating in Barnwell County during the fiscal year 1959-60.

SECTION 23. Any law enforcement officer of Barnwell County having a case before any magistrate of the county shall obtain a statement from such magistrate showing the name of the defendant, the offense for which such defendant is charged and the amount of fine received by the magistrate if the defendant is convicted. Such statement shall be furnished by each magistrate on the request of the law enforcement officer, and the law enforcement officer shall file the statement with the treasurer of Barnwell County on or before the first day of each month following the issuance of said statement. No law enforcement officer and/or magistrate of Barnwell County who fails to comply with the provisions of this section shall receive any salary.

SECTION 24. This act shall take effect immediately upon its approval by the Governor.

Approved the 28th day of May, 1959.

(R159, H1332)

No. 352

An Act To Provide For The Advancement Of Funds To The State Highway Department By Beaufort County And To Provide For The Expenditure And Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Beaufort County may advance funds to Highway Department.—The Treasurer of Beaufort County shall, when requested by the legislative delegation, as provided herein, advance funds to the State Highway Department, to be deposited to the State Secondary Highway Account for Beaufort County, and to be disbursed therefrom for the purposes and in the manner provided by law. Such request shall be in writing, signed by the entire Legislative Delegation of Beaufort County, shall specify the amount to be advanced, and shall specify the source from which such county funds shall be derived.

SECTION 2. Funds may be borrowed—payment.—Any available Beaufort County Funds may be used for the purposes of this act. If Beaufort County funds are not available in an amount sufficient to meet the requirements of any advance requested pursuant to this act, the Treasurer of Beaufort County shall borrow any additional funds that may be required. For the payment of any funds which may be borrowed, there is hereby pledged the full faith, credit and taxing power of Beaufort County.

SECTION 3. Highway Department to reimburse Beaufort County.—The State Highway Department shall reimburse Beaufort County, through the county treasurer, for all funds advanced to the Highway Department under this act in such annual installments as may be agreed upon by the county treasurer and the State Highway Department. Such reimbursement shall be made out of the funds apportioned to Beaufort County for the State Secondary Highway construction program to be financed from the special additional one cent gasoline tax levied pursuant to Sections 65-1062 and 65-1081, Code of Laws of South Carolina, 1952, as amended, and all such funds are hereby pledged to the repayment of the funds advanced under this act. The State Highway Department shall not be obligated to reimburse Beaufort County for any funds advanced to the State Highway Department, unless sufficient funds for such purpose accrue to Beaufort County for such State

Secondary Highway construction program. The State Highway Department shall not be required to pay any interest to Beaufort County for funds advanced under this act.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R165, H1316)

No. 353.

An Act To Amend Act No. 784 Of The Acts Of 1954, As Amended, Relating To The Beaufort County Water Authority, So As To Further Provide For The Selection Of Ex Officio Members Of The Authority Residing In Jasper County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 784 of 1954, amended—Beaufort County Water Authority—members—terms—vacancies—compensation.—Section 2 of Act No. 784 of the Acts of 1954, as amended, is further amended to read as follows:

“Section 2. The Authority shall be comprised of nine members, seven of whom shall be resident electors of Beaufort County, and two of whom shall be elected by and from the Jasper County Development Board and who shall be members of the Authority, ex officio. The ex officio members shall have the same powers as those of the Beaufort County members. The Beaufort County members of the Authority shall be appointed by the Governor upon the recommendation of a majority of the Legislative Delegation of Beaufort County. Of the Beaufort County members, the respective governing bodies of the City of Beaufort and the Town of Port Royal shall each recommend to the Legislative Delegation of Beaufort County one person who may in turn be recommended to the Governor for appointment. The terms of office of the Beaufort County members and their successors shall be for six years. Any vacancy occurring for any reason among the Beaufort County members shall be filled for the remainder of the unexpired term. The terms of office of the

ex officio members from Jasper County shall be at the pleasure of the Jasper County Development Board. All members of the Authority shall hold office until their successors shall have been appointed and qualify.

The members of the Authority shall receive no compensation but shall be reimbursed for any actual expenses incurred in connection with the business of the Authority.

The present Beaufort County members of the Authority shall hold office until the expiration of their respective terms, the provisions of this act notwithstanding."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R237, H1484)

No. 354

An Act To Allow The Trustees Of School District No. 1 Of Beaufort County To Reconvey Certain Property To The Trustees Of The College Of Beaufort.

Whereas, by deed dated June 2, 1909, the Trustees of The College of Beaufort conveyed to School District No. 1 of Beaufort County, South Carolina, all that lot of land and the improvements thereon lying in the Town of Beaufort, and designated as Lot 32, according to the survey of such town made by the United States District Tax Commissioners for the District of South Carolina; and

Whereas, such conveyance was made upon condition that the property would be used exclusively for educational purposes or it would revert to the Trustees of The College of Beaufort; and

Whereas, the General Assembly finds that a substantial portion of such property is not being used for educational purposes, and it is anticipated that in the near future the trustees of School District No. 1 will have no further need or use for this property; and

Whereas, legislation has been enacted during the 1959 session of the General Assembly with a view to establishing a branch of an institution of higher learning in the City of Beaufort; and

Whereas, such branch, if established, will require physical facilities for its operation and the General Assembly finds that the property referred to above would be ideally suited for immediate use by such institution of higher learning; and

Whereas, it is the desire of the trustees of Beaufort Shool District No. 1 to make such facilities available, and it has been determined that the above purpose can best be accomplished by reconveying the above property to the Trustee of the College of Beaufort. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. School District 1 of Beaufort County may reconvey property to College of Beaufort.—The trustees of School District No. 1 of Beaufort County, South Carolina, may, for a nominal consideration, reconvey the following property to the Trustees of the College of Beaufort:

All that lot of land and the improvements thereon lying in the Town of Beaufort, Beaufort County, South Carolina, and designated as Lot 32, according to the survey of such town, made by the United States District Tax Commissioners for the District of South Carolina, bounded to the north by Washington Street, to the East by New Street, to the South by Duke Street and to the West by Carteret Street.

SECTION 2. Terms.—The trustees of School District No. 1 shall make the conveyance upon such other terms and conditions as may be mutually agreed upon by the trustees of School District No. 1 of Beaufort County and the Trustees of The College of Beaufort. The conveyance may be made subject to an agreement to lease back to the trustees of School District No. 1 of Beaufort County, so much of such property as is needed for educational purposes by the trustees of such School District No. 1.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R485, H1603)

No. 355

An Act To Provide For The Levy Of Taxes For County, School And Other Purposes For The Year 1959-1960, And Direct The Expenditure Thereof In Beaufort County; To Provide For Borrowing Money Under Certain Circumstances; And To Otherwise Regulate The Fiscal And Financial Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Beaufort County, for county and school purposes, for the fiscal year beginning July 1, 1959, and ending June 30, 1960, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. Such millage shall be determined by the Beaufort County Auditor and Treasurer, subject to the approval of a majority of the Beaufort County Legislative Delegation, including the Senator.

SECTION 2. For the fiscal year commencing July 1, 1959; there is hereby appropriated out of the general funds, if so much be necessary, the following:

Item 1. Roads and Bridges (subject to provision (a) of	
Section 3)	\$ 90,000.00
Total, Item 1	\$ 90,000.00
Item 2. Salaries:	
Supervisor	\$ 5,280.00
Clerk, County Board of Directors	3,000.00
Clerk of Court	2,178.00
Deputy Clerk of Court	2,400.00
Sheriff	4,983.00
Clerk to Sheriff	3,000.00
Clerical Assistance	600.00
Deputy Sheriffs (one @ \$389.50 per month and six @ \$357.50 per month) (subject to provi- sion (b))	30,414.00
Jailer	2,497.00
Treasurer	2,783.00
Clerical Assistance for Treasurer	2,400.00
Auditor	2,783.00

Special Tax Assessor	5,000.00
Office Expenses, including mileage at the rate of seven cents a mile	1,800.00
Clerical Assistance for Auditor, two clerks @ \$2,400.00 each	4,800.00
Clerical Assistance for Treasurer	1,200.00
Attorney	300.00
Coroner	1,320.00
Board of Directors (Chairman)	526.50
Directors (four @ \$393.50)	1,574.00
Janitor Courthouse	1,980.00
Janitor, County Office Building	1,980.00
Judge of Probate	1,722.00
Constables:	
Hilton Head Township	300.00
Daufuski Island	300.00
Magistrates:	
Beaufort Township	2,200.00
St. Helena Township	1,550.00
Sheldon Township	1,350.00
Bluffton Township	1,075.00
Daufuski Island	625.00
Hilton Head	825.00
Total, Item 2	\$ 92,745.50
Item 3. Health Unit:	
Health Unit (subject to provision (c))	\$ 17,500.00
Social Diseases (subject to provision (d))	1,000.00
Total, Item 3	\$ 18,500.00
Item 4. Public Buildings:	
Public Buildings, including water, fuel and in- surance (subject to provisions (n))	\$ 16,000.00
Total, Item 4	\$ 16,000.00
Item 5. Printing, Postage and Stationery	\$ 7,000.00
Total, Item 5	\$ 7,000.00

Item 6. Sheriff's Expenses:

Operation	\$ 14,600.00
Special Deputies—Hilton Head and Hunting Island	400.00
Modification of Radios (subject to provision (o) of Section 3)	1,200.00

Total, Item 6\$ 16,200.00

Item 7. Farm and Home Demonstration:

White:

Salary, Farm Agent	\$ 300.00
Contingent Fund, Farm Agent	100.00
Clerical Assistance, Farm Agent and Home Agent	420.00
Contingent Fund, Home Demonstration Agent	100.00
Salary, Home Demonstration Agent	300.00
Women's Short Course	35.00
4-H Camp	200.00

Colored:

Salary, Farm Demonstration Agent	748.68
Home Demonstration Agent	740.00
Clerical Assistance, Farm and Home Demon- stration Agents	1,200.00
Demonstration Supplies, Home Agent	50.00
4-H Camp	200.00

Total, Item 7\$ 4,393.68

Item 8. Jail Expenses, including dieting (subject to
provision (f))

.....\$ 8,000.00

Total, Item 8\$ 8,000.00

Item 9. Bond Premiums and Miscellaneous Items (sub-
ject to provision (k))

.....\$ 7,000.00

Total, Item 9\$ 7,000.00

Item 10. Post Mortems, Lunacies, etc.

.....\$ 1,250.00

Total, Item 10\$ 1,250.00

Item 11. South Carolina Retirement System, County's share	\$ 8,000.00
Total, Item 11	\$ 8,000.00
Item 12. County Service Officer:	
Travel and Clerical Assistance (subject to Section 6)	\$ 900.00
Total, Item 12	\$ 900.00
Item 13. Department of Public Welfare (subject to provision (i))	\$ 1,200.00
Salary supplement for director	1,000.00
Total, Item 13	\$ 2,200.00
Item 14. Miscellaneous:	
Board of Registration	\$ 200.00
National Guard Unit	750.00
Vital Statistics	375.00
Beaufort County Chamber of Commerce (subject to provision (m))	3,700.00
Hilton Head Chamber of Commerce	1,200.00
County Officer's Travel (subject to Section 6) ..	280.00
Total, Item 14	\$ 6,505.00
Item 15. Jurors, Witnesses and Court Bailiffs (subject to provision (j))	\$ 5,500.00
Total, Item 15	\$ 5,500.00
Item 16. County Development, Planning, Promotion and Advertising (subject to provision (o) of Section 3)	\$ 20,000.00
Total, Item 16	\$ 20,000.00
Item 17. Beaufort County Higher Education Commission (subject to provision (o))	\$ 17,500.00
Total, Item 17	\$ 17,500.00
GRAND TOTAL	\$321,694.18

SECTION 3. (a) Not more than seventy thousand dollars of this item shall be used for salaries, maintenance and operation of equipment for the construction and upkeep of Roads and Bridges and the remainder of the funds of this item, or as much as may be necessary, shall be used for the purchase of equipment and machinery. (b) The Sheriff's department shall enforce the provisions of Act No. 47 of the Acts of 1955, as amended, and shall work with and assist the Special Tax Assessor and the Auditor to accomplish the purposes of such act. One deputy shall be assigned to correlate and report the violations of such act discovered by the Sheriff's department. Such reports shall be made on duplicate forms to be prescribed by the County Board of Directors. One copy shall be given to the Auditor and one copy shall be given to the County Board of Directors. (c) The appropriation made under Item 3 herein, for expense of Health Unit, shall be paid out as directed by the State Health Officer; *provided*, that there shall be employed for Beaufort County a Health Officer, two nurses, two sanitary inspectors and two clerks, unless waived in writing by the Beaufort County Legislative Delegation. (d) The appropriation made under Item 3, for Social Diseases, shall not be used until the sum of two thousand five hundred dollars is made available by the State Board of Health, the Federal Government, or any agency thereof. (e) The mimeograph machine now in the office of the Farm and Home Agents shall be available for the use of other officials of the county, but shall remain in the office of the Farm and Home Demonstration Agents. (f) The amount of money herein appropriated under Item 8 for jail expenses shall include the dieting of prisoners; *provided*, that the jailer shall diet all prisoners in his care at cost, such cost not to exceed seventy-eight cents per day for each prisoner. The jailer shall, at the end of each month, file with the County Board of Directors an itemized statement showing the number of prisoners dieted each day during the month and he shall be reimbursed at the rate above provided. The City of Beaufort prisoners may be lodged at a charge of one dollar and twenty-five cents per diem per prisoner, which total amount shall be credited to Item 8. (g) The members of the County Board of Directors shall be allowed seven cents per mile for actual distance traveled in attendance on meetings of the board and, in addition to such mileage, shall receive actual expenses not exceeding two dollars per day for each day in attendance on such meetings of the board. The directors, showing mileage traveled

and expenses incurred in attendance, shall file a statement with the clerk of the board of directors. (h) The amount herein appropriated for Sheriff's Expenses shall cover all fees allowed in Section 27-401, Code of Laws of South Carolina, 1952, and cover all other authorized expenses and all service of jury venire. (i) Of the amount appropriated herein for the Department of Public Welfare, not more than one thousand eighty dollars shall be expended for emergency welfare purposes and not more than one hundred twenty dollars shall be spent for administrative purposes. (j) Bailiffs shall be paid the same per diem as jurors, and witnesses shall be paid three dollar per diem. (k) The funds appropriated in Item 9 shall be expended upon the approval of the County Board of Directors for the purposes of bond premiums, rents, Workmen's Compensation and Insurance premiums and freight. (l) The Judge of Probate of Beaufort County is authorized to charge a fee of five dollars for marriage licenses. (m) The money appropriated in Item 14 for the Beaufort County Chamber of Commerce and the Hilton Head Chamber of Commerce shall be paid to the treasurer of each Chamber of Commerce by the county treasurer in equal semiannual installments, beginning on July 1, 1959. (n) The amount of money herein appropriated for Public Buildings shall include fuel necessary for the use of the Beaufort County Jail and the monthly base rate for phone service at the Lady's Island fire tower. (o) Provided, that the funds appropriated for radios in Item 6, and the funds appropriated in Items 16 and 17 of Section 2 shall be expended only upon the prior approval of a majority of the Beaufort County Delegation.

SECTION 4. There is hereby appropriated out of the general county funds the sum of ten thousand dollars, if so much be necessary, as a contingent fund, three thousand dollars of which may be spent upon the direction of the County Board of Directors to take care of any contingencies arising in the administration of matters for which appropriations are made, and seven thousand dollars of which may be disbursed by the treasurer and spent upon the direction of a majority of the legislative delegation, including the Senator, to take care of any contingencies arising for which no appropriations are made.

SECTION 5. All monies paid to the Treasurer, the Sheriff or other public officials of Beaufort County, as interest on the deposit of public funds, shall be accounted for by such official as other public

funds are accounted for, and the funds so received shall be used for the purpose designated for by such funds.

SECTION 6. All claims upon accounts, special expense accounts and expenditures herein authorized to be paid by the County Board of Directors, the County Board of Education and all other county agencies, except the salaries of officials as fixed herein and salaries of school teachers, shall first be itemized and verified by the payee and filed in the office of the respective board or agency before being paid by same. All authorized mileage shall be paid at the rate of seven cents per mile.

SECTION 7. The county treasurer is hereby authorized to borrow, in anticipation of the collection of taxes herein levied for general purposes and of other funds to be credited to the general county account, in an amount not to exceed fifty thousand dollars, if same be necessary; and he is hereby also authorized to borrow, in anticipation of school taxes herein levied, in an amount not to exceed one hundred fifty thousand dollars; if the funds are available in sinking funds in his hands the treasurer may loan such amount, taking the note of the County Board of Education, payable in not more than ten months, and bearing interest at not more than four per cent per annum. All interest earned on such loans shall be credited to the account from which the loan was made.

SECTION 8. For the maintenance of Beaufort Township Library there is hereby appropriated the sum of seven thousand dollars, and the Auditor and Treasurer of Beaufort County are hereby authorized to levy and collect the necessary number of mills on all taxable property in Beaufort Township, to be expended by the trustees of the library. The county treasurer, on or about the first of February of each year, shall report to the Legislative Delegation all funds collected from this source as well as showing all amounts turned over to the trustees of the library. All unexpended funds collected for the purpose herein stated, which remain unexpended at the end of each year, shall be credited by the county treasurer to the trustees of the library for the ensuing year and shall not be turned into the county funds.

SECTION 9. To finance the maintenance and operation of the public school system of Beaufort County for the school year 1959-1960, there is hereby appropriated the sum of one million five hun-

dred seventy-five thousand one hundred and fifty-five dollars, to be expended for the following purposes in the amounts indicated:

	<i>Dist. No. 1</i>	<i>Dist. No. 2</i>	<i>County Board</i>
ADMINISTRATION	21,900	10,400	40,160
INSTRUCTION	1,077,574	135,521	
PUPIL TRANSPORTATION ..	3,502	7,300	
OPERATION	83,760	20,510	550
MAINTENANCE	31,500	12,850	550
FIXED CHARGES	13,184	2,420	125
FOOD SERVICES	15,100	3,765	
ADULT EDUCATION		360	
CAPITAL OUTLAY	19,000	874	1,000
SUB TOTAL	1,265,520	194,000	42,385
TRANSPORTATION & ADULT EDUCATION, LUNCH ROOM	35,000		38,250
TOTAL EXPENDITURES ...	1,300,520	194,000	80,635
GRAND TOTAL EXPENDITURES	1,575,155		

This appropriation is based upon estimated revenue from county, State and Federal sources, and if such funds as estimated are not available, the operating budget shall be reduced to conform to the revenue.

All liquor tax, beer and wine tax, poll tax, dog tax, and marriage license fees accruing to the county shall be credited to the school fund from which the above appropriation is made, and all State aid to teachers' salaries accruing or paid to the county by the State and all Federal aid under the Farm Veterans program, the G. I. Training program, and the School Lunch program, and any other funds which may be available, shall be paid into the fund. There shall also be paid into the fund all other Federal aid accruing or paid to the county for school purposes.

SECTION 10. The County Board of Education is directed and authorized to pay out of the sum appropriated in Section 9 for Administration, the following:

Salary—Superintendent of Education\$ 1,320.00

The salary herein provided for the Superintendent of Education shall be in addition to and shall supplement the appropriation made in the State Appropriation Act for the salary of the County Superintendent of Education.

The salary hereinabove provided to be paid by Beaufort County shall be paid in equal monthly installments.

SECTION 11. For the operation and maintenance of Beaufort Memorial Hospital there is hereby appropriated the sum of twenty thousand dollars, if so much be necessary, to be paid to Beaufort Memorial Hospital in equal quarterly installments.

SECTION 12. In order to facilitate the preparing of the county supply act by the Legislative Delegation, the county treasurer shall, on or before the first day of February of each year, in writing, report to the Legislative Delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of such funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts disbursed on vouchers by the board of education, certificates or warrants of the clerk of court, and interest and principal paid on the bonds. The county treasurer shall annually, not later than February first of each year, furnish the members of the Legislative Delegation with a detailed statement of the status of the bond account, school, county and Township of Beaufort County.

The County Board of Education of Beaufort County shall on or before the first day of February of each year report to the Legislative Delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by it for school purposes for the preceding fiscal year. It shall also furnish to the Legislative Delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year. It shall also furnish to the Legislative Delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 13. On the request of the Board of Regents of the Beaufort Memorial Hospital Association, or its duly authorized agent, the Sheriff of Beaufort County shall provide transportation from any part of Beaufort County to the Beaufort Memorial Hospital of charity patients in the event of an emergency or a great

need for the early transportation of such patient or patients to the hospital for the emergency or urgent treatment, operation, etc.

SECTION 14. The clerk of court and the sheriff are hereby authorized and directed to pay a per diem of five dollars to all persons serving as jurors or court bailiffs.

SECTION 15. There is hereby appropriated out of the Beaufort-St. Helena funds, the sum of two thousand dollars, if so much is necessary, for the completion and lighting of the County Airport.

The County Board of Directors is hereby authorized and empowered to enter into an agreement with the South Carolina Aeronautics Commission for the operation and maintenance of the Airport. Any expenses incurred are to be paid out of the above appropriated moneys.

SECTION 16. There is hereby appropriated out of ordinary county funds of the county the sum of fifteen hundred dollars, if so much be necessary, to have an audit made of county offices, and a copy of the audit be forwarded to each member of the Legislative Delegation, solicitor and foreman of the Grand Jury.

SECTION 17. For the maintenance of the Saint Helena Township Library there is appropriated the sum of two thousand two hundred dollars to be expended by the trustees of the library. The Auditor and Treasurer of Beaufort County are authorized to levy and collect on all the taxable property of Saint Helena Township the necessary number of mills to raise an amount sufficient to make the above amount available for the fiscal year 1959-1960.

SECTION 18. Any motor vehicle confiscated pursuant to law by law enforcement officials of Beaufort County may be retained by such confiscating authorities for use in law enforcement purposes within the county.

SECTION 19. Neither the trustees nor the district superintendents of School Districts No. 1 and No. 2 of Beaufort County shall make any purchase or any contract for a purchase, nor shall they make any expenditure whatsoever of funds appropriated for school purposes, except upon the written approval of the County Superintendent of Education.

SECTION 20. The Special Tax Assessor shall have the sole charge of and responsibility for the county's blueprint machine.

SECTION 21. The Beaufort County Board of Directors may rent to any person the road equipment of Beaufort County under the following conditions:

(a) The county equipment must have been engaged in the performance of county work immediately preceding such rental at the site of the job or project for which it is desired to be rented;

(b) The equipment shall be operated by a county employee regularly employed for such purpose and the rental of such equipment shall be charged for at the rate then prevailing in Beaufort County and the value of the work done shall not exceed fifty dollars.

Provided, that upon the board of director's determination that an emergency need for the equipment exists such of the above limitations shall not apply.

SECTION 22. No person or position for which a salary is specifically appropriated in this act shall be paid or receive additional compensation from county funds for service performed in the job or position for which such salary is appropriated.

SECTION 23. All acts or parts of acts inconsistent herewith are repealed.

SECTION 24. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R514, H1823)

No. 356

An Act To Ratify The Acts Of The Treasurer Of Beaufort County In Transferring Funds From One Account To Another During The Fiscal Year 1958-59 Upon The Recommendation Of The Beaufort County Delegation.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Beaufort County—certain actions of county treasurer ratified.—All acts of the Treasurer of Beaufort County in transferring funds from one account to another during the fiscal year 1958-59 which were done upon the recommendation of the Beaufort County Delegation are hereby approved, affirmed and ratified in all respects.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R30, H1112)

No. 357

An Act Authorizing The Supervisor And Treasurer Of Berkeley County To Borrow One Hundred Thousand Dollars For School Purposes And Providing For The Repayment Of Such Loan.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Berkeley County to borrow money for school purposes.—The Supervisor and Treasurer of Berkeley County shall immediately borrow one hundred thousand dollars for school purposes. The loan shall be repaid in four equal annual installments. The Auditor of Berkeley County shall levy and the Treasurer of Berkeley County shall collect a sufficient tax to repay the loan. The full faith, credit and taxing power of Berkeley County are pledged to the repayment of the loan.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1959.

(R31, H1113)

No. 358

An Act To Amend Act No. 1029 Of The Acts Of 1958 Relating To Appropriations For Berkeley County, So As To Delete The Pledge Of Alcoholic Liquor Revenues Securing A Loan For School Purposes And To Extend The Time Of Repayment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1, Part IV, of Act 1029 of 1958, amended—Berkeley County to borrow money for school purposes.—Section 1 of Part IV of Act No. 1029 of the Acts of 1958 is amended to read as follows:

“Section 1. The County Supervisor and County Treasurer of Berkeley County shall immediately borrow one hundred thousand dollars for school purposes. Such loan shall be retired within four years. The Auditor of Berkeley County shall levy and the Treasurer of Berkeley County shall collect a tax sufficient to repay such loan. The full faith, credit and taxing power of Berkeley County are pledged to the repayment of such loan.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1959.

(R32, H1114)

No. 359

An Act Authorizing The Supervisor And Treasrer Of Berkeley County To Borrow Fifty Thousand Dollars For General County Purposes, And To Provide For Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Berkeley County to borrow money.—The Supervisor and Treasurer of Berkeley County shall immediately borrow fifty thousand dollars for general county purposes. The loan shall be retired in four equal annual installments. The Auditor of Berkeley County shall levy and the Treasurer of Berkeley County shall collect a sufficient tax to repay the loan. The full faith, credit and taxing power of Berkeley County are pledged to the repayment of such loan.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of February, 1959.

(R282, H1551)

No. 360

An Act To Change The Name Of The Goose Creek Fire And Water District In Berkeley County To The Berkeley Goose Creek Public Service District And To Increase The Membership Of The Governing Body Of The District From Three To Five Members.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Name of Goose Creek Fire and Water District in Berkeley County changed to Berkeley Goose Creek Public Service District.—The name of the Goose Creek Fire and Water District in Berkeley County created and established by Act No. 1028 of the Acts of 1958 is hereby changed to the Berkeley Goose Creek Public Service District.

SECTION 2. Membership increased.—The membership of the governing body of the district is hereby increased to five commissioners with the two additional commissioners to be appointed for terms of four years from date of appointment and until their successors shall be commissioned and qualified as provided in Act No. 1028 of the Acts of 1958.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R489, H1763)

No. 361

An Act To Authorize The Governing Body Of Berkeley County To Purchase A Site And Construct An Auxiliary Health Center Thereon In The Town Of St. Stephen And To Provide Funds Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Berkeley County may construct health center in Town of St. Stephen.—The Governing Body of Berkeley County may purchase land and construct an auxiliary health center thereon in the Town of St. Stephen.

SECTION 2. Appropriation.—The Treasurer of Berkeley County shall pay from the general fund of the county an amount sufficient to carry out the provisions of this act not to exceed ten thousand dollars.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R544, H1574)

No. 362

An Act To Provide For The Levy Of Taxes For General County Purposes And To Provide For The Levy Of Taxes For School Purposes For Berkeley County For The Fiscal Year Beginning July 1, 1959; To Direct The Expenditures Thereof; To Authorize And Direct The County Supervisor And The County Treasurer To Borrow Certain Monies; And Relating To The Administration Of The Business Of Berkeley County.

Be it enacted by the General Assembly of the State of South Carolina :

PART I

SECTION 1. A tax of six mills is hereby levied upon all the taxable property of Berkeley County for county purposes for the fiscal

year beginning July 1, 1959, which, together with all the monies then in the hands of the county treasurer, or coming into his hands after July 1, 1959, from fines, forfeitures, fees, executions or otherwise, or in the bank or banks for the use of the county and not specifically pledged for some other purpose, shall be used and same is hereby appropriated in the amounts and for the purposes hereinafter stated:

Item 1. Roads and Bridges:

The Commutation tax and all receipts from the gasoline tax from the State Highway Department, are hereby appropriated for this Item. *Provided*, that all employees paid from funds under this Item shall have five and one-half days annual leave with pay in addition to sick leave.

Item 2. Salaries:

A. Clerk of Court\$ 1,200.00

Provided, the Clerk of Court shall receive in addition the fees of his office as provided by law.

B. Clerks to Clerk of Court (2) 5,328.00

C. Sheriff 3,600.00

Provided, the Sheriff shall receive travel allowance not to exceed \$600.00 for the year to be disbursed to him monthly. 600.00

Provided, further, the Sheriff shall receive in addition the fees of his office as provided by law.
Provided, further, the Sheriff and Chief Deputy Sheriff shall be furnished an automobile each for official duties.

D. Clerk to Sheriff 2,664.00

E. Expenses of Law Enforcement 1,200.00

Provided, this appropriation shall be disbursed to the Sheriff in monthly installments.

F. Chief Deputy Sheriff (who also serves as Tax Collector) 3,000.00

Provided, the Chief Deputy Sheriff shall receive travel allowance not to exceed \$600.00 for the year to be disbursed to him monthly. 600.00

G. (a) Three full time Special Deputies, \$2,700.00 each 8,100.00

(b) Travel for Special Deputies, \$600.00 each	1,800.00
(c) Uniforms, radio, automobile, insignia and equipment for Special Deputies	2,000.00
H. Jailor	2,400.00
I. Treasurer (see proviso below)	1,800.00
J. Clerks to Treasurer (2)	5,328.00
K. Auditor (see proviso below)	1,800.00
L. Clerks to Auditor (2)	5,328.00
<i>Provided</i> , the Auditor and Treasurer shall receive in addition to the salary the fees of their offices as provided by law; the salary paid them by the State, which is \$3,300.00; and the sum of \$600.00 each for travel.	
	1,200.00
M. Probate Judge	2,040.00
<i>Provided</i> , the Probate Judge shall receive all fees of the office, including marriage license fees.	
N. Clerk to Probate Judge	2,664.00
O. (a) Master in Equity	1,440.00
<i>Provided</i> , the Master shall receive all fees of the office.	
(b) Stenographer (part time)	1,080.00
P. Coroner	840.00
Q. Supervisor	5,000.00
<i>Provided</i> , the Supervisor shall also receive gasoline and oil not to exceed the cost of \$100.00 per month to be used for his transportation while engaged in county work.	
	1,200.00
R. Clerk to Supervisor	2,664.00
S. Clerk to Solicitor	300.00
T. County Attorney	2,700.00
<i>Provided</i> , the County Attorney shall upon official request furnish legal advice and services to any person holding a county or school office; <i>provided</i> , further, that he shall represent the county in all suits in which the county is named as party, and shall not appear as attorney against the county or any school unit thereof.	
U. Assistant Solicitor	600.00
V. Magistrates and Constables:	
(1) Ten Magistrates at \$600.00 each	6,000.00
(2) One Magistrate at County Seat	1,800.00

(3) One Magistrate at St. Stephen	1,200.00
(4) One Magistrate at Bonneau	1,200.00
(5) One Magistrate at Highland Park-Remount Road Section	1,500.00
(6) Office rent for Magistrates	1,620.00
<i>Provided</i> , that each Magistrate before receiving his pay for any month shall file with the County Treasurer, on or before the fifth day of the ensuing month, an itemized statement of all cases handled during the month for which he is being paid, showing the fine or sentence imposed or other disposition made of same; and at such time shall pay over to the Treasurer all fines or forfeitures collected for the county. His failure to do so shall cause the forfeiture of his salary for the month or months of such failure.	
(7) Sixteen Constables at \$600.00 each	9,600.00
<i>Provided</i> , that no Constable is provided for the Magistrate at the County Seat as processes is- sued by him shall be served by the Sheriff's office.	
(8) Magistrate's Constables at Highland Park —Remount Road Section, including duties of policing area—salaries and travel	6,900.00
W. Clerk—Hanahan District	600.00
X. Janitors—Office Building and Courthouse	5,330.00
Y. Special Beach Deputies	1,200.00
Total, Item 2	\$105,426.00
Item 3. County Health Department:	
Operation, Maintenance and Incidentals	\$ 15,000.00
Total, Item 3	\$ 15,000.00
Item 4. County Boards and Farm Offices:	
A. County Board of Education (\$100.00 each) ... \$	600.00
B. (1) Nine County Tax Assessors	1,350.00
(2) Tax Board of Review	1,350.00
C. Boys' 4-H Club Work	250.00
D. Girls' 4-H Club Work and Women's Work ...	250.00
E. Clerk to Home Demonstration Agent (part time)	540.00
F. Clerk to County Agent (Supplement)	540.00
G. Demonstration Supplies, both offices	50.00

	H. Stamps and Incidentals, both offices	50.00
	I. Negro Agriculture Agent (Supplement)	720.00
	J. Negro Home Demonstration Agent (Supplement)	720.00
	K. Negro Boys' 4-H Club Work	250.00
	L. Negro Girls' 4-H Club Work and Women's Work	250.00
	M. Office expense—Negro Ag. and H. D. Agents ..	100.00
	N. Clerical Expense—Negro Ag. and H. D. Agents	1,200.00
	O. Soil Conservation Committee	200.00
	P. Supplement County Agent and Asst. Agent for travel, \$480.00 each	960.00
	Q. Second Assistant Agent for travel	240.00
	Total, Item 4	\$ 9,620.00
Item 5.	Department of Public Welfare:	
	A. Supplement to County Director's Salary	\$ 420.00
	B. Travel for three Visitors	960.00
	C. Foster Home Care	1,000.00
	D. Emergency Relief	1,000.00
	E. Conference Attendance Expenses	75.00
	F. Extra travel—Child Welfare Worker	1,000.00
	Total, Item 5	\$ 4,455.00
Item 6.	Jail and Prisoners:	
	A. Maintenance of Prisoners for dieting, etc., claims to be approved by Sheriff	\$ 5,000.00
	B. Transporting Prisoners	500.00
	Total, Item 6	\$ 5,500.00
Item 7.	Miscellaneous Appropriations:	
	A. Jurors, Witnesses and Bailiffs	\$ 1,800.00
	<i>Provided</i> , that jurors at Coroner's inquests shall receive pay in the same manner and amount as circuit court jurors.	
	B. Assistance to aged, helpless and poor by the county	3,600.00
	C. Post-mortems, inquests and lunacies	1,000.00
	D. Courthouse and County Office Building—Maintenance and Operation	18,000.00
	E. Workmen's Compensation and Retirement	12,000.00

F. Printing, postage, record books, and office supplies for county offices	5,000.00
G. Vital Statistics	675.00
<i>Provided</i> , that each registrar shall receive fifty cents per registration. No registrar shall receive less than twenty-five dollars per year.	
H. Berkeley County Library—salaries, operation and maintenance	14,360.00
<i>Provided</i> , a budget showing details of this appropriation shall be approved by a majority of the County Legislative Delegation.	
I. Miscellaneous Contingent Fund	5,000.00
J. Berkeley County Tuberculosis Association	3,000.00
<i>Provided</i> , a quarterly report shall be filed by the association with the members of the county legislative delegation and the county treasurer showing the activities of the association and a financial statement of receipts and disbursements.	
K. Supplement for County Board of Registration—\$300.00 each	900.00
L. Public Services in Hanahan District	3,000.00
M. Service Officer :	
The Service Officer shall be paid the full appropriation by the State for his office.	

Total, Item 7	\$ 68,335.00
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GRAND TOTAL	\$208,336.00
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Estimated Revenue :

State Sources:

One cent gasoline tax	\$ 80,000.00
Income tax	50,000.00
Alcoholic Liquor tax	21,000.00
Beer and Wine tax	6,000.00
Santee-Cooper payment in lieu of taxes	15,600.00
Insurance License tax	6,000.00

Total received from State	\$178,600.00
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County Sources:

Six mills property tax and executions	\$ 30,000.00
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Road tax and executions	8,000.00
Fines and Forfeitures	27,000.00
Total raised from County Sources	\$ 65,000.00
GRAND TOTAL—	
ESTIMATED REVENUE	\$243,600.00

SECTION 2. For the purpose of providing hospital care in Berkeley County, there is hereby levied a tax of five mills on all the taxable property in Berkeley County. Said tax shall be levied and collected by the same officers and in the same manner as provided by law for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed to the credit of the Berkeley County Hospital, and shall be paid by the county treasurer on warrants approved by the county supervisor.

SECTION 3. All items herein which are to be paid out as salaries for officers or clerks of the county shall be expended in the usual manner in twelve equal monthly installments and not otherwise, and no more, and in case any officer or agent or servant, as aforesaid, shall resign, or otherwise vacate his or her office or position before the expiration of the fiscal year, he shall be entitled to said monthly installments on a pro rata basis for the month, or parts of month actually served, and no more; *provided*, that all appropriations herein for clerks shall only be paid to clerks regularly employed and serving in the office in which employed during the office hours of said office. Each of said clerks shall have five and one-half days annual leave per year and their absence from their respective offices for any cause other than sickness for any day or days beyond their period of annual leave shall cause their salary for such day or days to be deducted.

SECTION 4. It is hereby reaffirmed by the County Legislative Delegation that all purchases paid for by the county shall be made from business concerns within the county insofar as same is economically possible, and said purchases shall be equitably divided among said concerns in the county.

SECTION 5. For the purpose of paying in cash the foregoing and all other general, ordinary or special county expenses for the fiscal year beginning July 1, 1959, as authorized by this act, or otherwise appropriated in anticipation of the collection of taxes or the receipt of

revenues from the State, the County Supervisor and County Treasurer of Berkeley County are hereby authorized to borrow from time to time, as may be necessary in their judgment, on note or notes, or other evidence, or evidences, of indebtedness of the county executed by the said county officials from any person, firm or corporation, or from the Treasurer's Sinking Fund, or other dormant funds, and the sum or sums so borrowed shall constitute a valid claim against the county; and the monies derived from the six mills tax levied in Section 1 hereof, and the five mills levied in Section 2 hereof, said five mills to be used for the purposes set forth in Section 2, the commutation taxes and State revenues may be pledged to secure the payment thereof, and it shall not be incumbent upon the person, firm or corporation making such loan or loans to see that the monies loaned are applied for the purpose for which they are borrowed.

SECTION 6. For the purpose of providing for the maintenance and operation of Hanahan Public Service District, the Auditor of Berkeley County shall levy a tax of not exceeding twenty-eight mills, the exact number of mills to be specified by a resolution adopted by the commissioners of such district prior to July 1, 1959, and approved by a majority of the County Legislative Delegation, upon the taxable property within the territorial limits of such district which, together with the funds and income of the district from all sources, shall be used to carry out the duties and functions of the commission of the district, all or any of them, provided in Act No. 784 of the Acts of 1942, creating the district and commission, and all amendments thereto. The tax shall be levied and collected by the same officers and in the same manner as is provided for the collection of taxes levied for corporate purposes in Berkeley County, and the monies so collected shall be placed in separate funds by the county treasurer and paid out on warrants of the commissioners of the district.

PART II

TAX LEVY FOR SCHOOL PURPOSES

SECTION 1. There is hereby levied on all the taxable property of The Berkeley County School District for the calendar year 1959 a tax of forty mills, the proceeds of which shall be used for general school purposes for the fiscal year 1959-1960, such purposes to be set forth in the county school budget for such year. The tax shall be assessed and collected as other taxes are assessed and collected.

PART III**PERMANENT PROVISIONS**

SECTION 1. The Supervisor and Treasurer of Berkeley County are hereby authorized and directed to borrow fourteen thousand five hundred dollars to repay a loan made by the Bank of Berkeley to the Board of Trustees of the Berkeley County Hospital. The loan may be made from any bank or lending institution at a rate of interest not to exceed four per cent. The loan shall be repaid in three equal annual installments. For the payment of such loan, the Auditor of Berkeley County shall levy and the Treasurer of the county shall collect a tax of one mill on all taxable property of the county. The full faith, credit and taxing power of Berkeley County are pledged for the repayment of such loan.

PART IV

SECTION 1. All acts or parts of acts inconsistent herewith are repealed.

SECTION 2. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R189, H1367)

No. 363

An Act To Make Supplemental Appropriations For The Fiscal Year 1958-1959 From The General Fund of Calhoun County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following supplemental appropriations for the fiscal year 1958-1959 are made from the General Fund of Calhoun County:

Retirement	\$ 325.00
Public Buildings	2,000.00
C. H. Supplies	3,000.00
Contingent	3,000.00
Hospitalization	4,000.00
Group Insurance	65.00

Social Security	450.00
State Agency of Vocational Rehabilitation	600.00
Total	\$ 13,440.00

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 3rd day of April, 1959.

(R221, S214)

No. 364

An Act To Authorize The Mayor And Town Council Of The Town Of Cameron To Borrow Not Exceeding Six Thousand Dollars For Improving And Maintaining The Water Works Of The Town, And To Provide For The Repayment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Cameron may borrow money for water works.—The mayor and town council of the Town of Cameron, in Calhoun County, are authorized to borrow a sum of money not to exceed six thousand dollars, with interest thereon not to exceed five per cent per annum, for the purpose of improving and maintaining the water works of the town.

SECTION 2. Note—execution.—The indebtedness shall be evidenced by a note or notes of the town to be executed by the mayor and the town clerk and treasurer. The note or notes shall be paid within four years from their date or dates.

SECTION 3. Payment.—The full faith, credit and taxing power of the town are hereby irrevocably pledged for the repayment of the note or notes and the interest thereon as the same may become due.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R298, S149)

No. 365

A Joint Resolution Closing The Season For The Hunting Of Deer In Certain Areas Of Calhoun And Orangeburg Counties For A Period Of Two Years.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Deer season closed for two years in parts of Calhoun and Orangeburg Counties.—It shall be unlawful to hunt deer for a period of two years after the passage of this act within the following area in Calhoun and Orangeburg Counties: All that area bounded on the north by Lyons Creek; on the east by Lake Marion; on the south by United States Highways No. 15 and No. 301; and on the west by State Highway No. 6.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R536, H1771)

No. 366

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes For Calhoun County For The Fiscal Year 1959-1960 And For The Expenditure Thereof, And To Provide For Any And All Matters Pertaining To The Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be levied upon the taxable property of Calhoun County for the purposes hereinafter specified :

School District No. 1: 30 mills for the operation of the schools in said district.

School District No. 2: 31 mills for the operation of the schools in said district.

SECTION 2. For county purposes for Calhoun County for the fiscal year 1959-1960, the sums hereinafter specified are appropriated for the purposes stated and the auditor of the county is authorized to levy, and the treasurer to collect, a tax of six mills upon all the taxable property of Calhoun County to meet the appropriations made herein for general county purposes after deducting all other available income and revenue.

For construction and maintenance of roads and bridges and the support of county chain gang and floating gangs	\$ 28,500.00
Cement pipe making machinery	5,100.00
Clerk of Court	4,356.00
Deputy Clerk of Court	1,980.00
Sheriff	4,356.00
Travel allowance and automobile repairs for Sheriff (if so much be necessary)	800.00
Deputy Sheriffs—2 @ \$2,700.00 each	5,400.00
Travel allowance for deputies for use in their own cars—\$1,140.00 each	2,280.00
Photographic equipment for sheriff's office	200.00
Auditor	1,056.00
Travel Allowance for Auditor	20.00
Treasurer	1,056.00
Clerical Assistance, Auditor	1,980.00
Clerical Assistance, Treasurer	900.00
Clerical Assistance, Superintendent of Education ...	100.00
Travel Allowance, Superintendent of Education	200.00
Attorney for County	600.00
Coroner	600.00
Supervisor	4,356.00
Travel Allowance, Supervisor, if so much be necessary	800.00
Two County Commissioners, \$750.00 each	1,500.00
Clerk to Board of County Commissioners	1,980.00
Judge of Probate	4,356.00

Constables:

First District	1,200.00
Second District	750.00
Third District	750.00

Provided, each magistrate's constable in the county shall be paid fifteen dollars monthly as a travel expense. 540.00

Magistrates:

First District	1,650.00
Second District	960.00
Third District	960.00
Office Rent—Third District	120.00

Provided, the compensation provided for magistrates and constables is in lieu of all fees payable by the county to which any and all of them may be entitled, except in cases of violation of the worthless check law, and they shall have authority to charge and receive the following fees, which shall be in addition to their salaries: magistrates, one dollar; constables and sheriff, one dollar, and mileage as provided in Section 27-451, Code of Laws of South Carolina, 1952, when prosecution in such cases is discontinued by settlement or compromise. *Provided*, further, that the magistrates at Cameron and Lone Star shall give bonds in the sum of five hundred dollars, and the magistrates at St. Matthews shall give bond in the sum of one thousand dollars, conditioned upon the faithful performance of his duties and the premium paid thereon out of the county contingent fund.

Tax Collector	450.00
Travel Allowance, Tax Collector	150.00
Board of Education	750.00
Board of Equalization	300.00

Provided, members of the board shall be paid six dollars per day.

Jail expenses, including dieting of prisoners 1,200.00

Provided, the Sheriff shall be allowed one dollar per diem for dieting prisoners.

Jurors, Bailiffs, Deputy Clerks and Witnesses 1,500.00

Provided, jurors in the general sessions and common pleas court shall receive six dollars per day and jurors

in the magistrates' courts and coroner's inquests shall be paid three dollars per day, to be paid as now provided by law.

D.P.W. Emergency Fund	200.00
Contribution to Tuberculosis Work	800.00
Travel expenses, County Lunch Supervisor	300.00
Office expense, County Lunch Supervisor	600.00
Rent, School Commodities Storage	300.00
Travel expense, Attendance Teacher	300.00
Post Mortems and Inquests	100.00
Burial of County Poor	100.00
Lunacies (to be used for medical examination and transportation)	150.00
Boys' 4-H Club	75.00
Girls' 4-H Club	75.00
Expense, Soil Conservation Supervisor	100.00
Home Demonstration Agent, supplies, contingent, stamps, etc.	100.00
Farm Agent, supplies, contingent, stamps, etc.	100.00
Farm Agent's salary supplement	450.00
Home Demonstration Agent's salary supplement ..	300.00
Clerical Assistant for Home Demonstration Agent and County Agent	600.00
County Libraries	6,850.00
To be expended by a committee of four in charge of such library, to be appointed by the legislative delegation.	
For retirement of county officers and employees, if so much be necessary	2,655.00
Workmen's Compensation Premium	1,500.00
Public buildings, including janitor, water, lights, telephones and fuel	6,000.00
<i>Provided</i> , the same to be used for county purposes only.	
Printing, postage, stationery, supplies and repairs for county buildings, including salary of \$300.00 per year to clerk of court as custodian of such buildings	5,000.00
<i>Provided</i> , the fund for public buildings and supplies shall be expended for the officers and offices of the courthouse and office buildings on the approval of	

the clerk of court, and when so approved by him shall be paid by the county board of commissioners.

Miscellaneous Contingent 4,000.00

Provided, such funds shall be disbursed only upon written consent and with the authority of the legislative delegation.

Jailor 1,800.00

Premiums on bonds for county officers 350.00

Hospitalization fee 5,000.00

Provided, that the county shall pay such per diem costs as may be agreed upon by the county board of commissioners for charity patients, with notice to any hospital to which such patient may be sent, that such payments will stop when the above amount has been exhausted and the county assumes no further responsibility for such aid. The expenditure made under this item shall be under the county board of public welfare, which shall investigate each case and only approve such aid where the applicant is unable to pay for treatment and would suffer unless the county so provides; the board shall prorate this appropriation over the twelve-month period and, if necessary, shall limit aid to emergency cases involving serious danger to life and health.

County Health, if so much be necessary 6,260.50

Vital Statistics 300.00

Microfilm and Supplies 200.00

County share, Group Insurance 600.00

Historical Commission 1,800.00

To be advanced in installments as may be approved by the county board of commissioners.

Social Security 1,300.00

Insurance on Sheriff's and Supervisor's automobiles 294.00

Fire Insurance on county buildings 1,585.51

Auditing the county affairs, 1958-1959 600.00

Rabies Control Officer, travel 450.00

Provided, this sum shall be paid in monthly installments.

National Guard Armory, Supplies and Company Fund 1,800.00

Development Board	500.00
Expense for circuit court solicitor	200.00

GRAND TOTAL\$137,451.01

SECTION 3. The county board of commissioners (including the supervisor) is directed to work all roads, streets, alleys and public parking areas in the towns and villages, incorporated or unincorporated, in Calhoun County; and may, in its discretion, perform such work in and around other county and municipal buildings, parks, public landings and facilities as may be deemed necessary and advisable.

SECTION 4. All disbursements for travel allowance and for repairs for county-owned cars shall be evidenced by itemized statements that have actually been paid and so marked.

SECTION 5. If any of the sums above mentioned, or any portion thereof, are not used or expended for the specific purposes for which appropriated, the whole or any balance shall be expended only upon written authorization of the Legislative Delegation of Calhoun County.

SECTION 6. It shall be unlawful for any officer of this county to approve or pay any claims against the county, or any school district, unless the funds are on hand for the payment of same, and also it shall be unlawful for the county board of commissioners to exceed the appropriations made for the several items in this act, unless authorized by the county delegation, and any county officer violating the provisions of this act shall be liable for said violations on his official bond; *provided*, however, that the county treasurer and supervisor are hereby authorized and empowered to borrow so much money as is necessary to defray the county expenses, not exceeding the total amount herein appropriated, and are authorized to pledge the taxes, when so collected, for the payment of the same; *provided*, further, that all monies coming into the county treasury to the credit of the county by reason of contracts made and work done by the county or its authorities in the working or building of roads and bridges may be used and expended by the board of commissioners in the maintenance and support of the county chain gang and in building bridges and maintenance of roads, permanent and otherwise.

SECTION 7. The board of county commissioners shall pay the regular commercial rate for publication of quarterly reports.

SECTION 8. The clerk of court shall have entire oversight and care of the courthouse building and grounds, and he shall supervise the care of same, and the janitor for the courthouse shall be employed by the clerk of court, and it shall be his duty to supervise the janitor and see that he keeps the courthouse grounds in proper condition; *provided*, however, the sheriff shall have entire oversight and care of the jail, and he shall employ the jailor for the same.

SECTION 9. All appropriations made herein are subject to the right and authority of the Calhoun County Delegation to change, alter or deduct therefrom at any time without notice, when in its judgment, such change, alteration or deduction is necessary for the best interests of the county, and to conform with revenue expected during the life of this act. *Provided*, that the change made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount appropriated.

SECTION 10. All fees collectible by law by the auditor, treasurer, clerk of court and judge of probate shall be collected by such officers and placed by them in the treasury of the county to the credit of the general fund. Each officer shall keep a record of all fees collected for auditing purposes and on or before the tenth day of each month shall remit all fees collected in the preceding month.

SECTION 11. Appropriations of State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 12. Of the amounts appropriated in this act as salaries for law enforcement officers, an amount of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 13. In addition to the foregoing appropriations there is hereby appropriated from the General Fund of Calhoun County the sum of sixteen thousand nine hundred seventy-five dollars for extension and improvement to the county agricultural building. The sum herein appropriated shall be expended by the county board of

commissioners upon vouchers approved by the board. The plans for the building shall be approved by the county board of commissioners and the construction thereof will be under the direction and supervision of the board. The contract for the construction shall be awarded by the board to the lowest responsible bidder.

SECTION 14. All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R8, H1030)

No. 367

An Act To Confirm Certain Actions By The Charleston County Council Relative To Accabee Avenue And To Authorize The Closing Of A Portion Of Accabee Avenue.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Action confirmed concerning Accabee Avenue in Charleston County.—The action of the Charleston County Council, and its predecessor in office, the Sanitary & Drainage Commission for Charleston County, in failing or refusing to open the northernmost portion of Accabee Avenue of approximately 1014.1 feet to the Ashley River Railroad right-of-way, as shown on a plat of a subdivision of a tract of 37.61 acres on the Dorchester Road in Charleston County, S. C., by Richard C. Rhett, dated March 9, 1935, and recorded in the R. M. C. Office for Charleston County, S. C., in Plat Book E, page 134, and by reference to a plat of Cardinal Heights by W. H. Matheny, R. L. S., dated August 24, 1955, and recorded in the R. M. C. Office for Charleston County, S. C., in Book K, page 82, or in refusing to dedicate or otherwise make the same available to public use, are necessary and proper for the security, welfare, economy and convenience of Charleston County and particularly the adjoining landowners and for preserving the health, safety and good government within the community, and the actions are confirmed.

SECTION 2. Portion of Accabee Avenue may be closed.—The Charleston County Council may, with the consent of the adjoining

ing landowners fronting thereon, confirm the abandonment and closing to public use as a thoroughfare of that portion of Accabee Avenue as shown on the plats above mentioned, being the northernmost portion of Accabee Avenue and being approximately 1014.1 feet in length to the Ashley River Railroad right-of-way and to accept the present layout of streets and roads in and adjacent to Accabee Road in adequate substitution for and in lieu of the unused northernmost portion of Accabee Avenue as shown on such plats.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1959.

(R60, S66)

No. 368

An Act To Confirm The Action Of The Charleston County Council In Not Opening "Lamb Street" And In Conveying The Street To An Individual Landowner.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Action confirmed concerning Lamb Street in Charleston County.—The action of the Charleston County Council in failing or refusing to open "Lamb Street", as designated on a plat of the Resubdivision of Lot No. 7 of Ryefield Tract by J. B. Weston, C. E., dated April 29, 1950, recorded in Deed Book B-55, page 195, R. M. C. Office for Charleston County, and in conveying the land embraced within "Lamb Street" to Robert J. Donaldson, Jr., his heirs and assigns forever, is hereby validated, ratified and confirmed.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R196, H1395)

No. 369

An Act To Create And Establish A Fire District In Charleston County, South Carolina, To Be Known As The St. John's Fire District; To Provide For The Government Thereof; And To Authorize And Empower The Commissioners Of Said District To Issue And Sell Bonds Of Said District In The Sum Of Not Exceeding Thirty Thousand Dollars For The Purpose Of Establishing, Maintaining And/Or Purchasing And Operating Fire Equipment In Said District, Provided That The Election Provided For Herein Results Favorably To The Creation Of Such District And The Issuance Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. St. John's Fire District created in Charleston County.—There is hereby created and established in Charleston County a District to be known as St. John's Fire District with such rights, duties, powers and authority as herein provided and including such territory and boundaries as hereinafter designated.

SECTION 2. Area.—The aforesaid District shall include and be comprised of the territory in the Western portion of Charleston County lying to the West of Ashley River and embracing the same territory and area as are contained in St. John's School District No. 9 of Charleston County as now constituted. The making and filing of a plat of said area shall not be required as a prerequisite to the holding of the election hereinafter provided for the issuance of bonds.

SECTION 3. Political subdivision.—The aforementioned St. John's Fire District shall be a body politic and corporate with perpetual succession and shall exercise and enjoy the rights and privileges of such and be subject to the rules and regulations herein imposed.

SECTION 4. To be governed by Commission—members—terms—vacancies.—The aforesaid District shall be governed by a Commission consisting of three qualified electors residing in said District to be known as the St. John's Fire Commission, which Commission shall be appointed by the Governor and a majority of the members of the legislative delegation of Charleston County, whose terms of office shall be six, four and two years, respectively, from the date of their appointment and until their successors who shall be ap-

pointed in like manner shall have been appointed and qualified. They shall elect one of their number Chairman and one Secretary. In the event of a vacancy in said Commission by reason of death, resignation or otherwise, such vacancy shall be filled in the manner of the original appointment for the unexpired term.

SECTION 5. Powers and duties.—Said Commission shall have the power to purchase, establish, enlarge, maintain, conduct and operate such fire system in said District as they may deem necessary, and to construct and own, maintain and operate a fire department and fire protection and other instrumentalities for fire protection in said District; to purchase, lease, hold and sell such real estate as they may deem necessary; to accept gifts or grants and to make such contracts in relation to same as may be necessary or proper; to make any and all contracts that they may deem necessary to carry out the provisions of this act; to employ such engineering, office, clerical help and other employees as they may deem necessary and to fix the compensation of such employees; to make any and all regulations which they consider necessary to effectuate the purposes of this act; and in general to do all things necessary for the purpose of creating, maintaining and operating a fire system, all or any of them in said District; to prescribe and to collect rates, fees, tolls or charges for the services, facilities and commodities furnished by such fire system and to furnish such service, facilities and commodities to persons, firms and corporations within the territorial limits of said District.

SECTION 6. Tax levy.—For the purpose of carrying out the purposes and functions of the St. John's Fire District, and to provide funds therefor, the County Auditor of Charleston County shall annually levy and the County Treasurer of Charleston County shall collect a tax of such number of mills on all taxable properties in St. John's Fire District as shall be directed by a written resolution of the St. John's Fire Commission duly transmitted to the county auditor, the proceeds of which shall be placed by the county treasurer to the credit of the district, and paid out by him from time to time for the functions of the district upon warrants executed by the chairman and any other member of the commission therefor. No tax shall be levied by the county auditor under this act until the resolution directing the levy shall have been approved in writing by a majority of the legislative delegation for Charleston County, including the

Senator, and for the purpose of consideration of the levy the commission shall present all such resolutions to the legislative delegation, together with the itemized budget of the district upon which the levy is based.

SECTION 7. Condemnation powers.—The Commission shall have the right and power to condemn for such purposes lands, rights of way and easements, such right of condemnation to be exercised in the same manner as is now prescribed for condemnation of rights of way by counties.

SECTION 8. Bids—records—audits.—It shall be the duty of the said Commission to advertise for bids for at least thirty days in one or more newspapers for all work to be done and material to be used in constructing such fire system and for fire apparatus with the right to reject any and all bids, to enter into contracts with the lowest responsible bidder thereon and to secure competent persons if deemed advisable, to superintend the construction thereof and counsel and advise in all matters relating thereto. A permanent record shall be kept by such Commission of all of its proceedings, contracts, and other matters done and performed by it, including an accurate plan of the work done, and proper books shall be kept showing in detail all monies and funds received and disbursed by it. The books of said Commission shall be audited annually and at such other times as may be directed by the County Supervising Auditor of Charleston County, and a copy of such audit shall be filed with the County Council. All books and records of said Commission shall be open at all times to the inspection of any citizen of said District.

SECTION 9. Issue bonds.—The said St. John's Fire District Commission is hereby authorized and empowered to issue negotiable coupon bonds of said District in the sum of not exceeding thirty thousand dollars, the proceeds of which shall be used by the said Commission for purchasing, establishing, equipping, operating and maintaining fire systems and fire departments in said District; the said bonds shall be of the denomination of one thousand dollars and/or five hundred dollars, shall bear interest not to exceed five per cent per annum, payable annually or semiannually as said Commission shall determine; shall mature all at one time or in series or installments as said Commission shall determine, but all bonds shall mature not later than twenty years from their respective dates and shall be exempt

from all State, county and municipal taxes, and may be registerable as to principal.

SECTION 10. Execution.—Said bonds shall be signed by the Chairman and Secretary of said Commission, and the official seal of said “St. John’s Fire District” shall be affixed to or impressed upon said bonds; the coupons on said bonds shall not be authenticated other than by the facsimile signature of said officials lithographed, printed or engraved thereon.

SECTION 11. Sale.—Said bonds shall be issued and sold as a whole or from time to time and in such amounts as said Commission shall determine; said sales to be made to the highest bidder for cash after such advertisement as said Commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery thereof; said Commission to have the right to reject any and all bids in their discretion, provided the said bonds may be sold to the United States, or any Department or agency thereof, at private sale without advertisement.

SECTION 12. Tax levy.—Until the interest and principal of all bonds issued under this act shall be fully paid, there shall be levied annually on all taxable property in St. John’s Fire District a tax sufficient to pay such interest as it becomes due and to provide a Sinking Fund sufficient to pay such principal at the date or dates of maturity thereof; *provided, however*, that if after the application of the revenue from the fire system to the payment of the operation, maintenance and improvement of said system and the expense of the operation, improvement and upkeep of the Fire Protection System, there remains any surplus, then the annual levy may be reduced to such amount as with the application of such surplus revenue thereto will be sufficient to pay said interest and principal as they respectively mature. The said annual tax shall be levied and collected by the same officers and in the same manner as provided for the levy and collection of taxes for county purposes in Charleston County. The money so collected shall be applied by or under the direction of the County Treasurer to the payment of the principal and interest as they respectively become due, and pending such application shall be deposited or invested by or under direction of the St. John’s Fire District Commission and the County Treasurer.

SECTION 13. Proceeds.—The proceeds of the sale of said bonds as provided by this act shall be kept by the County Treasurer as a sep-

arate fund and shall be paid out only upon orders or warrants of the said St. John's Fire District Commission and the County Treasurer for the purposes specified by this act.

SECTION 14. Election concerning creation of fire district—question.—Before the St. John's Fire District is created or any bonds hereinabove authorized shall be issued, an election shall be held in the proposed district at which shall be submitted to the qualified electors in the proposed district the following question: "Do you favor the creation of the St. John's Fire District and the issuance of bonds in an amount not exceeding thirty thousand dollars therefor?"

Yes ☐

No ☐

Those voting in favor of the question shall deposit a ballot with a check or cross mark in the square after the word 'Yes', and those voting against the question shall deposit a ballot with a check or cross mark in the square after the word 'No'."

The election shall be held on July 28, 1959 at such place or places within the proposed district as may be designated by the Commissioners of Election of Charleston County, and notice of the election shall be given by posting notice thereof in three public places in the proposed District at least ten days before the election, which notice shall state the time, place and purpose thereof and the amount of and purpose for which said bonds are to be issued.

The Commissioners of Election shall appoint a manager or managers for the election, the polls to be opened at 8 A. M. and closed at 6 P. M. On closing the polls, the managers shall count the ballots and shall make returns of the results of the election with the original ballots cast and the tally sheets to the Commissioners of Election, who shall declare the results of the election. If it shall be determined by the said Commissioners that a majority of the legal votes in said election have been cast in favor of the creation of the District and the issuance of said bonds, the District may be created and bonds may be issued as herein provided; but if it be determined that a majority of said ballots are opposed to the creation of the District and the issuance of said bonds, the District shall not be created and the bonds shall not be issued. The validity of said election and the correctness of the determination of the results thereof by said Commissioners shall not be open to question in any court

except in a suit or proceeding commenced within thirty days after the date of such election.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R431, H1553)

No. 370

An Act To Empower The Board Of Township Commissioners Of Folly Island To Issue General Obligation Bonds Of The Township Of Folly Island In The Amount Of Not Exceeding Twenty Thousand Dollars, For The Purpose Of Raising Moneys To Improve The Waterworks System Of The Township, To Prescribe The Conditions Under Which Such Bonds Shall Be Issued, The Application Of Their Proceeds, And To Make Provisions For The Payment Thereof.

Whereas, by Act No. 424 of 1953, the territory of Folly Island, in Charleston County, was constituted a special district for waterworks purposes, and the Board of Township Commissioners of Folly Island was designated to construct, operate and maintain a waterworks system; and

Whereas, it now develops that additional funds are needed to improve and extend the system, and that the only means of raising moneys is through the issuance of general obligation bonds, payable from the proceeds of the ad valorem taxes. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Folly Island special purpose district creation reaffirmed.—The General Assembly reaffirms its action in creating the territory of Folly Island as a special purpose district, created for the purpose of establishing and maintaining a waterworks system in the territory for the benefit of the inhabitants thereof.

SECTION 2. Duties of Board of Township Commissioners of Folly Island reaffirmed.—The General Assembly reaffirms its declar-

ation that the administrative functions of the construction, operation and maintenance of the system should be discharged by the Board of Township Commissioners of Folly Island.

SECTION 3. Bond issue—use of proceeds—maturity—redemption — dates — interest denominations — where payable.—The Board of Township Commissioners of Folly Island (hereinafter in this act referred to as the “Board”) may issue general obligation bonds of the Township of Folly Island in the sum of not exceeding twenty thousand dollars, the proceeds of which shall be used to improve and extend the waterworks system for the township. The bonds shall be issued as a single issue, maturing in such equal or unequal amounts as the Board shall determine, except that the maturity schedule of bonds issued pursuant to this act shall be arranged so that the last annual installment shall fall due not later than fifteen years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Board, contain a provision permitting its redemption prior to its stated maturity at such premiums as the Board shall determine. Such bonds shall bear such date and such rate of interest, shall be in such denominations and shall be payable at such place as the Board may determine.

SECTION 4. Execution.—The bonds shall be executed in such manner as the Board shall determine.

SECTION 5. Sale—notice.—The bonds shall be sold at public sale, after such advertisement as the Board may deem proper, but the Board shall have the right to reject any and all bids, in its discretion. No bonds shall be sold at less than par and accrued interest to the date of delivery.

SECTION 6. Payment—tax levies.—For the payment of the bonds and interest thereon, as the same mature, the full faith, credit and resources of the Township of Folly Island are hereby irrevocably pledged, and the Auditor and Treasurer of Charleston County, respectively, are hereby authorized and directed to levy and collect annually a tax, upon all taxable property within the township, without limitation as to rate or amount, sufficient to pay the bonds and interest as they respectively mature, and to create such sinking fund as may be necessary for the redemption of the bonds and interest at respective maturities. The taxes, when so levied and collected, shall be held by the Treasurer of Charleston County, separate and dis-

tinct from all other funds, and used solely for the purposes for which levied and collected.

SECTION 7. Tax exempt.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 8. Use of proceeds.—The proceeds of the sale of the bonds authorized hereby shall be disposed of as follows: any accrued interest paid thereon shall be applied by the Treasurer of Charleston County to the first installment of interest becoming due on the bonds; the premium, if any, received, shall be deposited with the Treasurer of Charleston County and by him applied to the first installment of principal becoming due on the bonds; and, the principal proceeds shall be deposited with the Treasurer of Charleston County in a separate fund and shall be paid out, or used, upon warrants drawn by the Board, for the purposes specified herein and no others. Neither the purchasers of the bonds, nor any subsequent holders thereof, shall be responsible for the proper application of the proceeds of sale.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R498, H1652)

No. 371

An Act To Amend Act No. 443 Of 1949, As Amended, Relating To The St. Andrew's Public Service District In Charleston County, So As To Enlarge And Further Define The Territory And Areas In St. Andrew's Parish, Charleston County, Included In The District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 2 of Act 443 of 1949, amended—areas and districts to be included in St. Andrews Public Service District in Charleston County.—Section 2 of Act No. 443 of 1949, is amended to read as follows:

“Section 2. The aforementioned district shall include and be comprised of the territory and areas in St. Andrew’s Parish, Charleston County, included in the following five districts:

District No. 1. Beginning at the intersection of U. S. Route No. 17 and the Ashley River; thence along U. S. Route No. 17 westwardly to the intersection of the Wappoo Road; thence southwardly and eastwardly along the Wappoo Road to the intersection of Wappoo Creek; thence southwardly along Wappoo Creek to the Stono River; thence southeastwardly along Stono River to Elliott’s Cut; thence eastwardly along Elliott’s Cut and Wappoo Creek to the Ashley River; thence northwardly along the Ashley River to the point of beginning.

District No. 2. Beginning at the intersection of U. S. Route No. 17 and the Ashley River; thence westwardly along U. S. Route No. 17 to Wappoo Road; thence northwardly along Wappoo Road to the intersection of the Seaboard Air Line Railway; thence eastwardly along the Seaboard Air Line Railway to the Ashley River; thence southwardly along the Ashley River to the point of beginning.

District No. 3. Beginning at the intersection of U. S. Route No. 17 and the Wappoo Road; thence northeastwardly along Wappoo Road to the intersection of S. C. Route No. 61; thence northwardly along S. C. Route No. 61 to the intersection of the Savage Road; thence westwardly and southwestwardly along the Savage Road to the intersection of U. S. Route No. 17; thence westwardly along U. S. Route No. 17 to Butler’s Creek; thence southwardly along Butler’s Creek to the Stono River; thence eastwardly along the Stono River to Wappoo Creek; thence northwardly along Wappoo Creek to the intersection of Wappoo Road; thence northwestwardly and northwardly along Wappoo Road to the point of beginning.

District No. 4. Beginning at the intersection of the Seaboard Air Line Railway and the Ashley River; thence northwardly and westwardly along the Ashley River to the mouth of Ashley Hall Creek; thence southwardly and southwestwardly along the Ashley Hall Creek to the Ashley Hall Road; thence southwardly along the Ashley Hall Road to the intersection of the south property line of Ashley Hall Plantation; thence westwardly along the south property line of Ashley Hall Plantation to the intersection of S. C. Route 61; thence southwardly along S. C. Route No. 61 to the intersection of Wappoo Road; thence southwestwardly along Wappoo Road to the intersection of the Seaboard Air Line Railway; thence eastwardly along the Seaboard Air Line Railway to the point of beginning.

District No. 5. Beginning at the mouth of Ashley Hall Creek, where the same enters the Ashley River; thence northwardly along the Ashley River to the intersection of the Atlantic Coast Line Railroad and the Ashley River; thence westwardly along the Atlantic Coast Line Railroad to the intersection with U. S. Route No. 17; thence eastwardly along U. S. Route No. 17 to the intersection with Savage Road; thence northwardly and eastwardly along Savage Road to the intersection of S. C. Route No. 61; thence crossing S. C. Route No. 61, eastwardly along the south property line of Ashley Hall Plantation to the intersection with Ashley Hall Road; thence northwardly along Ashley Hall Road to intersection with Ashley Hall Creek; thence eastwardly and northwardly along Ashley Hall Creek to the point of beginning."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of May, 1959.

(R5, H1028)

No. 372

An Act To Provide For The Retention Of The Superintendent Of The Cherokee County Home Until The Study Relative To Changing The Status Thereof Has Been Completed.

Whereas, the officials of Cherokee County have under consideration the advisability of converting the County Home into a Rest Home; and

Whereas, preliminary study tends to indicate that most of the residents of Cherokee County would benefit under such a conversion; and

Whereas, it appears that a Rest Home would receive more assistance and professional attention from the State Board of Health which would result in Cherokee County receiving financial aid from the South Carolina Department of Public Welfare not now being received; and

Whereas, it is necessary to indulge in further study before reaching a conclusion; and

Whereas, it would militate against a fair and impartial determination of the many facets under advisement to change the management of the County Home prior to arriving at the conclusion of such study. Now, Therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Superintendent of Cherokee County Home to continue duties until study completed.—The Superintendent of the Cherokee County Home, who operated the Home in 1958, shall continue in such capacity until the study to determine the feasibility of converting the present Home into a Rest Home has been completed and a final determination made.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 27th day of January, 1959.

(R560, H1770)

No. 373

AN ACT TO PROVIDE FOR THE LEVYING OF TAXES FOR SCHOOL AND COUNTY PURPOSES FOR THE YEAR 1959; TO DIRECT THE EXPENDITURE THEREOF; TO OTHERWISE PROVIDE FOR THE ADMINISTRATION OF THE BUSINESS OF CHEROKEE COUNTY; TO PROVIDE FOR THE OPERATION OF THE AFFAIRS OF THE COUNTY FOR THE MONTHS OF JANUARY, FEBRUARY AND MARCH, 1960; TO PROVIDE FOR THE CLOSING OF A STREET IN THE TOWN OF BLACKSBURG; TO AUTHORIZE THE SALE OF THE OLD NURSES' HOME ON LIMESTONE STREET; TO AUTHORIZE THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 1, THE COUNTY BOARD OF EDUCATION AND THE COUNTY TREASURER TO BORROW MONEY FOR CERTAIN SCHOOL PURPOSES; TO DEVOLVE THE OPERATION OF THE CHEROKEE COUNTY HOME ON THE CHEROKEE COUNTY HOSPITAL BOARD; AND TO AMEND ACT NO. 1042 OF THE ACTS OF 1958, CREATING A WATER AND SEWERAGE DISTRICT IN CHEROKEE COUNTY, SO AS TO AUTHORIZE THE ISSUANCE OF ADDITIONAL OBLIGATIONS, AND TO OTHERWISE PROVIDE FOR THE ADMINISTRATION OF THE DUTIES IMPOSED BY THE ACT.

Be it enacted by the General Assembly of the State of South Carolina:
SECTION 1. A tax of sixteen mills is hereby levied upon all the taxable property in Cherokee County for county purposes for the fiscal year beginning January 1, 1959, for the amounts and purposes hereinafter stated:

Item 1. Roads, Bridges and Chain Gang:

(a) For maintenance and construction there is hereby appropriated a sum not in excess of \$10,000.00 per month, plus one-half of the proceeds earned by contracts with the State Highway Department	\$120,000.00
(b) Food for Convicts	17,000.00
(c) Captain of Gang @ \$300.00 per month	3,600.00
(d) Mechanic @ \$300.00 per month	3,600.00
(e) Supply Clerk @ \$235.00 per month	2,820.00
(f) Machinery	2,500.00
(g) 1958 deficit incurred for maintenance and construction	16,183.12
Total, Item 1	\$165,703.12

Item 2. Law Enforcement Officers:

Salaries:

(a) Sheriff	\$ 4,800.00
(b) Official Expense	1,200.00
(c) Deputy Sheriffs, nine @ \$300.00 per month each and one at \$275.00	35,700.00
(d) Jailer, \$225.00 per month	2,700.00
(e) Jail expenses, including dieting of prisoners at \$1.35 per full day, or 45¢ per meal each	9,000.00
<i>Provided</i> , that in support of all payments made from the above appropriation for dieting, the sheriff shall file with the county board of commissioners a statement showing (a) the name of the prisoner, (b) the arresting officer, (c) the hour of admittance and discharge, and (d) the meals served to each prisoner for which payment is claimed.	
(f) Operation of cars	3,600.00
<i>Provided</i> , all purchases of supplies are to be from the lowest bidder.	

(g) Radio installation and repairs	200.00
(h) For exchange of two cars for Sheriff's Department	3,500.00
(i) Uniforms for Deputies not to exceed \$150.00 each	1,350.00
(j) Magistrates, three—One Magistrate for Cherokee Township @ \$2,520.00, and two Magistrates for Draytonville, Limestone, Gowdeysville, Morgan and White Plains Townships @ \$3,600.00 each	9,720.00
Total, Item 2	\$ 71,770.00

Item 3. Other County Officers:

(a) Auditor	\$ 1,800.00
(b) Clerical Help for Auditor	2,500.00
(c) Additional Help for Auditor	1,050.00
(d) Treasurer	1,800.00
(e) Clerical Help for Treasurer	2,500.00
(f) Additional Help to Treasurer	1,050.00
(g) Superintendent of Education	862.50
(h) Clerical Help to Superintendent of Education	2,500.00
(k) Attendance Teacher, to buy clothes for needy children	3,000.00
<i>Provided</i> , that the total salary of the Auditor, Treasurer and Superintendent of Education shall not exceed forty-eight hundred dollars.	
(l) Supervisor	4,800.00
(m) Supervisor, Travel Allowance	1,200.00
<i>Provided</i> , that the travel appropriation shall cover all expense allowance whatsoever for the supervisor.	
(n) County Commissioners, eight @ \$125.00 annually each	1,000.00
(o) County Commissioners, committees for extra time and service, ten dollars per day each for two days each month	1,920.00
(p) Clerk, County Board of Commissioners	3,600.00
(q) Superintendent for Courthouse @ \$175.00 per month	2,100.00

(r) Superintendent—Agricultural Building @ \$175.00 per month		2,100.00
<i>Provided</i> , that the County Board of Commissioners shall, upon request of the Superintendent of the County Courthouse, or the Superintendent of the Agricultural Building, furnish them with sufficient convict labor about the premises.		
<i>Provided</i> , further, that neither of the two superintendents shall be removed from office, except with the approval of the majority of the county delegation.		
(s) Clerk of Court	4,800.00	
(t) Deputy Clerk of Court	2,500.00	
(u) Clerical Help for Clerk of Court	2,500.00	
(v) Probate Judge	4,800.00	
(w) Clerical Help for Judge of Probate	2,500.00	
(x) County Attorney	600.00	
(y) County Audit	500.00	
(z) Coroner	1,200.00	
(aa) Stenographer for Coroner	100.00	
(bb) Delinquent Tax Collector	1,200.00	
(cc) Clerk for Delinquent Tax Collector	2,500.00	
(dd) Board of Assessors and Equalization	2,500.00	
(ee) Jurors and Witnesses	14,000.00	
Total, Item 3	\$ 73,482.50	
Item 4. County Health Department:		
(a) General Fund	\$ 6,300.00	
(b) Medical Supplies	500.00	
(c) Office Supplies and Contingencies	900.00	
(d) T. B. Nurse	1,500.00	
(f) For maintenance of garbage truck	1,800.00	
<i>Provided</i> , that the operation of trash truck shall be under the supervision of the County Sanitarian.		
(g) Three truck drivers @ \$3,000.00 annually each	9,000.00	
(h) Fuel Oil for Spraying	300.00	
Total, Item 4	\$ 20,300.00	

Item 5. Public Buildings:

(a) Water and Lights	\$ 2,150.00
(b) Telephone and Telegraph	4,000.00
(c) Fuel	1,500.00
(d) Superintendent's supplies	1,000.00
(e) Printing, Postage, Stationery and Office Equip- ment	7,500.00
<i>Provided</i> , authority is hereby granted for the payment of any deficits incurred during 1958.	
(f) Insurance and premiums on bonds of county of- ficers	3,500.00

Total, Item 5\$ 19,650.00

Item 6. Hospital, Public Welfare, Charities, Contribu-
tions and Miscellaneous:

(a) Hospital	\$ 60,000.00
(aa) For operation of an approved school of nursing	12,575.00
<i>Provided</i> , that the appropriation herein made may be authorized by the Legislative Delegation when satisfactory evidence has been filed with the county treasurer that the Cherokee County School of Nurses has been approved by the State Board of Examination and Registration of Nurses for South Carolina.	
(b) Lunacies and Post Mortems	900.00
(c) Vital Statistics	410.00
(d) State or National Guard Service Company...	1,650.00
<i>Provided</i> , that these funds shall be used for Armory or training purposes only.	
(e) State or National Guard Medical Company..	954.00
<i>Provided</i> , that these funds shall be used for Armory or training purposes only.	
(f) Department of Public Welfare	2,500.00
(g) Civil Air Patrol	300.00

Total, Item 6\$ 79,289.00

Item 7.

(a) Library	\$ 11,000.00
(b) Board of Education for School Lunch.....	10,000.00

(c) Contingent Fund, Board of Education	5,000.00
Total, Item 7	\$ 26,000.00
Item 8. County's share of Retirement fund for county employees	\$ 4,800.00
Social Security	4,700.00
Total, Item 8	\$ 9,500.00
Item 9. Farm Demonstration:	
(a) Assistant Farm Demonstration Agent	\$ 600.00
(b) Home Agent, Clerical Help	1,140.00
<i>Provided</i> , that the entire salary shall not exceed a total of \$2,100.00.	
(c) Secretary to the County Farm Demonstration Agent	360.00
<i>Provided</i> , that the entire salary shall not exceed a total of \$2,100.00.	
(d) Four-H (4-H) Club—Boys	100.00
(e) Four-H (4-H) Club—Girls	100.00
(f) Demonstration Supplies for Home Agent ...	150.00
(g) Negro Home Agent—Salary and Travel	740.00
(h) Office Rent, Fuel and Supplies for Negro Home Agent	155.00
(i) Contingents	50.00
(j) Clerical Help for Negro Farm Demonstration Agent	600.00
Total, Item 9	\$ 3,995.00
Item 10. County Home and Farm:	
(a) Superintendent, Salary	\$ 1,980.00
(b) Helper	700.00
(c) Maintenance	7,500.00
(d) Nurses' Aid for County Home	1,920.00
(e) For the renovating of the Cherokee County Home so as to meet the requirements of the State Board of Health for the operation of a nursing home	10,000.00
Total, Item 10	\$ 22,100.00

- Item 11. There is hereby created from the Ordinary County Funds a sum of \$30,000.00 as a Contingent Fund which shall be expended only for purposes designated and approved in writing by a majority of the County Delegation.

GRAND TOTAL\$491,789.62

Less Unexpended Balances, 1958 Supply Act:

Roads, Bridges and Chain Gang	\$ 348.39
Law Enforcement Officers	196.22
Other County Officers	2,318.88
County Health Department	3,950.17
Public Buildings	58.56
Hospital, Public Welfare, Charities, Contributions and Miscellaneous	17,160.14
Farm Demonstration	176.46
Contingent Fund	2,109.78
County Home Farm	32.16
County Board of Education, Contingent Fund	1,500.00

Total\$ 27,850.76

Less Estimated Revenues, other than Taxes:

Gas Tax	\$106,394.83
Clerk of Court Fines	11,146.42
Fees, County Officers	22,039.22
Sheriff—Civil Costs	1,969.25
Magistrates' Fines and Costs	42,179.33
State Insurance License Fees	13,926.12
Bank Tax	2,641.18
State Income Tax	39,711.92
Liquor, Beer and Wine	11,550.13
State Highway Department (Section 33-165, 1952 Code)	20,000.00
Interest Earned	5,130.47
Rents	2,515.00
Miscellaneous	819.19

Total\$280,023.06

Total Estimated Amount to be Raised by Taxation\$183,915.80

Provided, that no fund herein appropriated for any one purpose shall be used for any other purpose without the written consent of a majority of the Legislative Delegation.

SECTION 2. The Treasurer of Cherokee County is hereby authorized and directed to transfer to the credit of the County Board of Education the sum of thirty thousand dollars from the beer, wine and liquor taxes accruing to Cherokee County to be used to purchase school textbooks to be furnished free to the school children of Cherokee County and to pay for such books already purchased.

Provided, that any balance brought forward from the 1958 County Supply Act shall be included in the thirty thousand dollars herein appropriated.

Provided, further, there is hereby appropriated from the general fund of Cherokee County the sum of twelve thousand dollars, if so much be necessary, to be used by the Greater Gaffney Metropolitan Utilities Area Commission in the purchase of fire fighting equipment, and the Commission is authorized to contract with the City of Gaffney with respect to the use of the equipment to the end that property owners, both within the city and outside the limits of the city, shall secure protection from the hazards of fire. In the event that the parties are unable to reach an agreement, then the Commission is authorized to make this equipment available to a volunteer fire department.

SECTION 3. The county treasurer is hereby authorized and directed to pay upon warrants issued by the county board of commissioners the sum of twenty thousand dollars from the county's share of the one cent gasoline tax now on hand for the purpose of surface treating roads or streets in and around the towns and populous section of Cherokee County; *provided*, that the grading and preparing of such roads and streets for surface treating shall be done by the city or county road forces under the supervision of a competent engineer and the work shall be done in accordance with the State Highway Department's specifications, and no surface treating shall be done without approval of the engineer. *Provided*, further, that the roads and streets to be improved under the terms of this section shall be agreed to, in writing, by a majority of the county delegation.

The Treasurer of Cherokee County is authorized and directed to invest as much as three hundred thousand dollars of the surplus in

his hands to the credit of the general fund in securities or obligations of any political subdivision of Cherokee County. The securities, however, shall also be approved as to form and execution by the county attorney.

SECTION 4. The court crier, jury boy and bailiffs in the Circuit Court of Cherokee County shall be paid a per diem of five dollars for the actual number of days served, and the jurors and the members of the board of assessors and the board of equalization shall be paid a per diem of ten dollars for the actual number of days served.

SECTION 5. The working of the chain gang shall be under the management of the county board of commissioners; *provided*, however, that before any employee or help is secured, or any discharged, same must meet with the approval and sanction of the board of county commissioners. When differences arise between the supervisor and commissioners, a majority vote of the commission shall control; *provided*, that the rural mail carrier shall notify the county board, supervisor, or the township commissioner, when a bad place occurs in any mail road, and the supervisor or township commissioner shall send someone to fix same.

SECTION 6. The clerk of the county board of commissioners shall have authority to make purchases of necessary supplies, not to exceed fifty dollars, without first receiving approval of the county board of commissioners. However, any purchases exceeding fifty dollars must first be approved by the county board of commissioners, and, before being paid, all claims shall be approved by the county board of commissioners.

SECTION 7. The amount herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1959, and, if any item or salary has been overpaid for any month, such overpayment shall be deducted from the following month. Any note or contract made by any officer of the county or by the board of county commissioners for any amount not included in this Supply Act shall be null and void; any officer or employee who disregards any of the provisions hereof without the written consent of a majority of the Cherokee County Delegation to the General Assembly, kept on file in the treasurer's office, shall be guilty of a malfeasance in office and subject to removal. If the county supervisor or the board of commissioners at any time finds that the appropriation or

monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance, then, in that event, they are required to send to the State Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses so that expense will come within the monthly allotment herein provided. All appropriations herein made are subject to the right and authority of the majority of the Cherokee County Delegation to change, alter or deduct therefrom at any time, without notice, when in its judgment such change, alteration or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. *Provided*, that the changes made by the delegation pursuant to the authority herein conferred shall not operate to increase the total amount herein appropriated.

SECTION 8. The supervisor and the chain gang and employees of Cherokee County are hereby prohibited from doing any private work and spending any money of the county on any private roads or private property.

SECTION 9. The clerk of the county board of commissioners shall, during each month, send to each member of the Cherokee County Delegation an itemized list of all expenditures of the county for the preceding month, and also an itemized list of all obligations incurred and not paid.

SECTION 10. Immediately following each meeting of the county board of commissioners, the clerk of the board shall send each member of the Cherokee County Legislative Delegation a certified copy of the minutes of such meeting.

SECTION 11. The county attorney shall give legal advice to all county officers, including the grand jury, on any subject affecting the official matters of Cherokee County, and the amount herein appropriated shall be in full for all services of the county attorney, except litigated cases brought or defended with the approval of the Legislative Delegation.

SECTION 12. Whenever references are made in this act to any action of or by the Legislative Delegation or County Delegation, the same means the joint approval, agreement, or order of the Senator and at least one-half of the Representatives of Cherokee County in the General Assembly. In the event, however, of the death, resignation or removal of any one or more of the members of the dele-

gation, the remaining members shall have the right to execute any such approval, agreement or order.

SECTION 13. There shall be elected by the county delegation, or a majority thereof, a supply clerk at a salary of two hundred and thirty-five dollars per month. His duties shall consist of checking in and out materials and supplies purchased by the county for chain gang and road building purposes which shall be subject to his inspection at all times, and keeping proper records of such transactions. The supply clerk shall be furnished, by the county board of commissioners, with an office and a building for storage of all such materials and supplies. No warrant for the payment of any such materials and supplies shall be issued until the supply clerk shall certify, in writing, to the receipt of same, and he shall keep proper records to show to which agency of the county such materials and supplies were issued or delivered. *Provided*, monthly reports shall be made to the Cherokee County Delegation.

SECTION 14. No long distance telephone calls shall be charged to the county except such as are necessary in performing a public duty in connection with the administration of the affairs of the county, and no claim for any such calls shall be approved or paid unless on a verified itemized claim showing the name of the person making the call, the person to whom the call was made and the date and purpose thereof.

SECTION 15. The attendance teacher and the school lunch supervisor shall be paid sixty-five dollars per month each from the County Board of Education Contingent Fund (Item 7 (c)). Travel shall be paid at the prevailing rate of mileage allowed by the State. A report of the number of miles traveled on official business shall be submitted monthly to the county board of education for approval, and a warrant of the board shall be issued in payment thereof.

Beginning with the school year of 1958-1959 the attendance teacher shall receive a salary supplement during each school month sufficient to make such teacher's monthly salary during the school months equal to the monthly salary which would be paid to such teacher for teaching in the public schools of Cherokee County. The supplement provided for herein shall be paid from the Contingent Fund of the County Board of Education.

SECTION 16. There may be expended for county purposes during the months of January, February and March of 1960, the amounts authorized herein to be expended for the same months during the year 1959. All such expenditures shall be made from the general fund of the county. This provision is included in this act so that the activities of the county may continue uninterrupted until the Appropriation Act for the calendar year 1960 is adopted.

SECTION 17. The County Board of Commissioners of Cherokee County may rent office space in the Cherokee County Court House and the Cherokee County Agricultural Building for use by persons or organizations in the performance of State or Federal functions. No office space in such building shall be occupied by any person or organization not using such office space in the performance of State, County or Federal functions. Any person or organization using such office space in performance of a function of the Federal Government shall be charged a reasonable rental, based upon the space occupied and the services provided, as determined by the county board of commissioners.

SECTION 18. The appointive members of the Cherokee County Board of Education and the members of the Board of Trustees of Cherokee County School District No. 1 shall receive per diem of ten dollars and mileage at the rate of seven cents a mile for attendance upon meetings of their respective boards, but the payment of such per diem and mileage shall be limited to not more than one meeting during each month. The per diem and mileage of the members of the board of education provided for in this section shall be paid from the Contingent Fund of the County Board of Education and the per diem and mileage of the members of the board of trustees provided for herein shall be paid from the general school funds.

SECTION 19. The amount to be expended for hospital purposes shall be determined monthly by the legislative delegation but in no event shall the total of such monthly expenditures during the year exceed the sum of sixty thousand dollars appropriated in Section 1 hereof.

SECTION 20. Not to exceed the sum of five thousand dollars of the proceeds received by Cherokee County from contracts between the State Highway Department and the county for pipe to be used on

roads which are the subject of contracts between the said department and Cherokee County, pursuant to authority of Section 33-165, Code of Laws of South Carolina, 1952, shall be set up as a revolving fund which shall be used for the purpose of purchasing pipe for use on roads referred to in this section. A separate accounting shall be kept of all pipe purchased pursuant to this section and the said contract with the State Highway Department, and any reimbursements made by the said department to Cherokee County for pipe shall be credited to the revolving fund set up pursuant to the terms of this act.

SECTION 21. Upon the approval of the abutting property owners, the Town Council of the Town of Blacksburg in Cherokee County is hereby authorized to close that street or alley in the Town of Blacksburg which runs generally from southwest-northeast and is situate in the block which is bounded on the north by Cherokee Street; on the east by Shelby Street; on the south by Lime Street; and on the west by Rutherford Street and more particularly abuts on the west on Rutherford Street and on the east on Shelby Street.

SECTION 22. If, in the judgment of the County Board of Commissioners of Cherokee County, it is to the interest of the people of the county to dispose of that property known as the Nurses' Home on Limestone Street in the City of Gaffney, it is authorized to have the same sold. If the County Board of Commissioners desires to sell this property, it shall notify the clerk of court of its decision. Thereupon, it is made the duty of the clerk of court to sell such property on some regular sale day after advertisement required by law to be given in cases of judicial sales of real estate. The property shall be sold at public auction for cash, with the right of the County Board of Commissioners to reject any bid. The successful bidder at the sale shall be required to deposit ten per cent of the amount of his bid. The remaining portion of the bid shall be paid within seven days after acceptance by the Board. Such deposit shall be forfeited if the remaining portion is not so paid, and such forfeited deposit shall be treated by all parties not as a penalty, but as a fixed and agreed measure of liquidated damages. The clerk of court of the county, upon receipt of the full amount of the bid in compliance with the terms of the board, shall make, execute and deliver to the purchaser a deed of conveyance to the lot with all appurtenances and improvements thereon. The purchaser shall be required to defray all costs of the deed, necessary stamps and recording. The proceeds

of the sale shall be deposited with the county treasurer after payment of the costs and necessary expenses incident to the sale, and such proceeds shall be placed in the general fund of the county.

SECTION 23. The Board of Trustees, the Board of Education and the Treasurer of Cherokee County are hereby authorized to borrow from the Division of Sinking Funds and Property of South Carolina such sum as may be approved by the State Budget and Control Board not to exceed four hundred thousand dollars, for the purpose of renovating the existing high schools at Blacksburg and Gaffney, and to provide additional school facilities at Blacksburg High School and Gaffney High School or Gaffney Junior High School. The amount so borrowed shall be evidenced by notes to be executed by the Treasurer of Cherokee County, which shall bear interest not to exceed four per cent per annum. The principal and interest shall be payable in five equal annual installments under such terms and conditions as may be agreed upon between the board of trustees, the board of education, the treasurer and the Division of Sinking Funds and Property.

In the event that the sum provided for herein is not borrowed from the Division of Sinking Funds and Property, the Board of Trustees, the Board of Education and the Treasurer of Cherokee County are hereby authorized to borrow such sum to be used for the same purposes provided for in this section from any other person or agency which may be decided upon by the two boards and the treasurer, in which case the money shall be borrowed under such terms and conditions and at such rate of interest, not to exceed four per cent per annum, as may be agreed upon between the board of trustees, the board of education, the treasurer and the lending agency.

The Auditor of Cherokee County is directed to levy, and the Treasurer of Cherokee County is directed to collect, a tax on all the taxable property in the county sufficient to pay both the principal and interest on each installment as it becomes due.

SECTION 24. All the duties now prescribed for the Cherokee County Board of Commissioners for the operation of the Cherokee County Home are hereby devolved upon the Cherokee County Hospital Board and the said board shall lease the county home with all buildings, property and equipment pertaining to the operation thereof to a private individual or corporation, and such buildings,

property and equipment shall be operated as a rest home. The lease provided for herein shall be accomplished prior to July 1, 1959; however, additional time may be had if in the judgment of the hospital board it appears advantageous for the county and the people.

SECTION 25. In the event an application for a warrant or an application for the issuance of any civil process is refused by any magistrate in Cherokee County with jurisdiction, then any such applicant shall have the right to apply to any other magistrate in the county who may, in his discretion, assume jurisdiction and issue the warrant or process as if he originally had jurisdiction.

SECTION 26. For the fiscal year 1959-1960 the Board of Trustees of School District No. 1 of Cherokee County, with the approval of the County Board of Education, shall fix a tax levy for school purposes for the county which shall be submitted to the County Auditor not later than July 15, 1959, whereupon the auditor shall levy and the treasurer shall collect such millage. When a levy has been fixed and approved, as provided herein, and the budget for the various items and purposes necessary for the operation and maintenance of the schools of the county has been finally approved, there shall thereafter be no transfers from one purpose or one item within the budget to another without prior approval of the Board of Trustees and the Board of Education of the county. In the event that the Board of Trustees and the County Board of Education have failed to agree upon a levy for school purposes for any school year by July fifteenth, then the auditor shall levy and the treasurer shall collect the same millage as that collected for the operation of schools of the county for the previous year. *Provided*, that the Sunnyside School in Gowdeysville Township shall remain in operation for the school year 1959-1960.

SECTION 27. Act No. 1042 of the Acts of 1958, entitled "An Act to Declare the Public Policy of the State of South Carolina and of Cherokee County with Respect to Providing Water and Sewerage Facilities, etc.," is amended as follows:

"(1) Strike out all of the preamble clause down to the words 'Now, therefore' and insert in lieu thereof the following:

'Whereas, the area in Cherokee County outside of the corporate limits of the City of Gaffney have been steadily and progressively becoming more congested with residences, industries and business establishments; and

'Whereas, such progress and development are continuing and will continue to expand; and

'Whereas, the public health, welfare, convenience and safety and protection require that this area be furnished with adequate water and sewerage facilities, and provision should be made to furnish such facilities as needed, and in as adequate a degree as feasible; and

'Whereas, the Board of Public Works of the City of Gaffney has production facilities for furnishing the needed services to outside areas in the county, if distribution systems are provided; and

'Whereas, it is found that these facilities can be provided more economically by the creation of a body politic and corporate than by individual efforts; and

'Whereas, the territory hereinabove defined should be created into a body politic and corporate to the end that the congested areas referred to may be furnished with such services in accordance with present and future needs.'

"(2) Strike out all after the word 'that' on line 3 of Section 1 and insert in lieu thereof 'there are areas in Cherokee County outside of the corporate limits of the City of Gaffney which are now in need of and require adequate water and sewerage facilities which can only be soundly, sufficiently and properly provided by the creation of a body corporate for that purpose,' so that, when so amended, Section 1 shall read as follows:

'Section 1. It is hereby declared to be, and adopted as, the public policy of the State of South Carolina and Cherokee County, that there are areas in Cherokee County outside of the corporate limits of the City of Gaffney which are now in need and require adequate water and sewerage facilities which can only be soundly, sufficiently and properly provided by the creation of a body corporate for that purpose.'

"(3) The first sentence in Section 2 is amended to read as follows: 'There is hereby created a body politic and corporate to be known as the Greater Gaffney Metropolitan Utilities Area, hereinafter referred to as the Area, consisting of the area in Cherokee County outside of the corporate limits of the City of Gaffney, and of the Town of Blacksburg; *provided*, the Commission as herein established may contract with the governing body and the public works of the latter with regard to the inclusion of the town within the jurisdiction of the Commission.'

“(4) Strike out Section 3 and insert in lieu thereof the following :

‘Section 3. The purpose for which the corporate authority is created is to provide that such sections of the territory above defined as are in need of water and sewerage facilities shall be provided with them to the extent and in the manner and within the limitations herein provided.’

“(5) Amend Section 13, line 2, by striking out the words ‘one hundred fifty’ and inserting the words ‘three hundred.’

“(6) Amend Section 13, further, by adding at the end thereof: ‘*Provided*, if it be found necessary, the Commission is authorized and empowered to issue not exceeding five hundred thousand dollars of bonds of the Area. The proceeds derived from the sale of such bonds shall be disposed of as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first installment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to provide the facilities contemplated by this act.

The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the Commission. *Provided*, that no bonds shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the Commission; except that the maturity date of the last installment of any bonds issued hereunder shall fall due not later than twenty years from the date such bonds bear, and the first maturity date may be postponed not more than two years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Commission, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the Commission shall prescribe. The bonds shall be of such denomination, shall bear such rate or rates of interest as the Commission may determine, payable on such occasions as the Commission shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorization of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Cherokee County, and the principal thus made

payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Commission may prescribe. They shall bear such date or dates and be payable at such places as the Commission may likewise prescribe.

The bonds and the interest coupons thereto attached shall be executed in such manner as the Commission shall prescribe.

The bonds shall be sold by the Commission at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Act No. 730 of the Acts of 1952.

For the payment of the principal and interest on all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the income from the Area is irrevocably pledged to pay the principal and interest of the bonds as they respectively mature and to create such sinking fund as may be necessary therefor.'

“(7) Amend Section 18 to read as follows:

'Section 18. The Board of Public Works of the City of Gaffney shall keep a separate account of all costs of construction, maintenance and service charges and, after deducting these items, shall pay the balance over to the county treasurer, semiannually, the first payment to be made at the end of the fiscal year of the Board and payments in periods of six months thereafter. Upon failure to pay the same when due, the same shall bear interest at the legal rate until paid. All sums so received by the treasurer shall be credited to the special account referred to in Section 13, as amended.

From the moneys in the hands of the treasurer to the credit of the Area, there shall be paid the principal and interest on any bonds or other obligations issued pursuant to the provisions of this act. Any balance remaining shall be used by the Commission for the purposes set forth in this act. All disbursements by the treasurer shall be made on warrants issued by the Commission under such rules as the Commission may prescribe.

The Commission and the Board of Public Works shall agree upon the reasonable pro rata share of the expenses of the operation of the plant facilities.'”

SECTION 27A. Act No. 1042 of 1958 is amended by adding a new section to be known as Section 2.1 which shall read as follows:

“Section 2.1. From the effective date of this act, members of the Greater Gaffney Metropolitan Utilities Area Commission shall be paid a per diem of ten dollars and mileage at the rate of seven cents per mile for each day such members are actually engaged in the business of the commission. Such per diem and mileage shall be paid from the contingent fund of Cherokee County. The provisions of this section shall be retroactive to August 27, 1957.”

SECTION 28. It is distinctly provided that the amendments to Act No. 1042 of 1958, as well as the provisions of the original Act (as to the latter this is but a re-iteration) do not, and shall not be construed to lessen, impair or jeopardize either the obligations incurred, or which may be hereafter incurred by the Public Works of the City of Gaffney, pursuant to the terms of its charter, or the services to be rendered to the people of the City of Gaffney. All such obligations and services shall remain inviolate.

SECTION 29. Should any section of this act be declared unconstitutional, the remaining sections shall remain and be in full force and effect.

SECTION 30. All acts or parts of acts inconsistent herewith are repealed.

SECTION 31. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R55, H1154)

No. 374

An Act To Amend Act No. 1050 Of The Acts Of 1958, Relating To Appropriations For Chester County, So As To Provide For County Police And To Eliminate The Office Of Chief Of Police For Great Falls.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1, Item 4C of Act 1050 of 1958, amended—Chester County to have three police sergeants.—Section 1, Item

4 C of Act No. 1050 of the Acts of 1958 is amended to read as follows:

“C. Sergeant, County Police—

3 @ \$3,720.00

\$11,160.00”

SECTION 2. Section 1, Item 5 A of Act 1050 of 1958, deleted—office of Chief of Police for Great Falls eliminated.—Section 1, Item 5 A of Act 1050 of the Acts of 1958 is amended by striking the same.

SECTION 3. Section 1, Item B of Act 1050 of 1958, amended—one Great Falls policeman to be designated as chief—salary.—Section 1, Item B of Act No. 1050 of the Acts of 1958 is amended by adding after the first line the following:

“Provided, the Great Falls police commissioners may designate one of the police at Great Falls, South Carolina, as chief who shall be paid an additional sum of three hundred dollars per year \$300.00.”

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R67, H1174)

No. 375

A Joint Resolution Extending The Open Season For Hunting Rabbits And Quail In Chester County And York County For Fifteen Days In 1959 Only And To Extend The Open Season For Hunting Quail In Fairfield County For The Year 1959.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Rabbit and quail season for Chester and York Counties.—The open season for hunting rabbits and quail in Chester County and York County, Game Zone 4, is hereby extended for an additional fifteen days for the year 1959 only.

SECTION 2. Quail season for Fairfield County.—The open season for hunting quail in Fairfield County is hereby extended to March first, inclusive, for the year 1959 only.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R281, H1548)

No. 376

An Act To Amend Section 3 Of Act No. 458 Of The Acts Of 1949, As Amended, Relating To The Great Falls Public Service District, So As To Further Define The Territory Within Such District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 3 of Act 458 of 1959, amended—boundaries of Great Falls Public Service District.—Section 3 of Act No. 458 of the Acts of 1949, as amended, is further amended to read as follows :

“Section 3. There is hereby created and established in Chester County a district to be known as Great Falls Public Service District, which shall be a body politic and corporate and shall include and be comprised of the territory and area in Chester County, as follows :

‘All that area located, sitate and being in Rossville Township, Chester County, South Carolina, included in the following boundaries, to wit : Beginning at a point in center line of South Carolina Highway No. 99 at or near the northwest corner of Beckhamville subdivision and running thence along West Road S. 54° 30′ W. 455 ft. more or less, thence N. 32° 30′ W. 192.5 ft. more or less, thence S. 70° 15′ W. 92 ft. more or less, thence S. 32° 30′ E. 28 ft. more or less, thence S. 54° 30′ W. 450 ft. more or less, thence S. 32° 30′ E. 190 ft. more or less to said road margin, thence along said road margin along property line formerly of T. R. Lybrand and others S. 54° 14′ W. 2,311 ft. more or less, thence S. 14° 50′ E. 2,750 ft. more or less, thence S. 43° 02′ W. 3,500 ft. more or less, to center line of Rocky Creek, thence down center line of Rocky Creek in a southeasterly direction 12,500 ft. more or less, to mouth of Rocky Creek, thence N. 13,750′ more or less, following the Eastern bank of the canal and Great Falls Pond in a northerly direction to a point on

the Easterly bank of Great Falls Pond opposite point of intersection of Great Falls Pond and extension of line of northern boundary of first tract of parcel No. 4 of J. P. Stevens & Company, Inc., formerly known as the Gladden tract, thence S. $60^{\circ} 58'$ W. 2,475 ft., more or less, thence N. $19^{\circ} 12'$ W. 1,000 ft. more or less, thence N. $28^{\circ} 30'$ W. 190 ft. more or less, thence N. $30^{\circ} 22'$ W. 180 ft. more or less, thence S. $58^{\circ} 15'$ W. 500 ft. more or less, to point in center line of South Carolina Highway No. 22, thence with said center line in a northwesterly direction 4,306 ft. more or less, to the beginning corner.' ”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R464, S341)

No. 377

An Act To Amend Act No. 1049 Of The Acts And Joint Resolutions Of 1958 Creating A Historical Commission For Chester County, So As To Increase The Membership Of The Commission From Five To Seven Members.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1049 of 1958, amended—Historical Commission for Chester County created—members—terms—vacancies—organization.—Act No. 1049 of the Acts of 1958, creating a Historical Commission for Chester County, is amended by increasing in Section 1 of the act the membership of the commission from five to seven members, so that when so amended Section 1 shall read as follows :

“Section 1. There is hereby created a Historical Commission for Chester County, to be composed of seven members to be appointed by the Governor on the recommendation of a majority of the Chester County Delegation, including the senator. The members of the commission shall be appointed for terms of three years and until their successors are appointed and qualified. In case of any vacancy

prior to the expiration of a regular term, the appointment to fill such vacancy shall be made in the same manner as provided for the original appointment and for the unexpired portion of the term. The commission, upon being appointed, shall meet and elect a chairman and secretary-treasurer."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R503, H1746)

No. 378

An Act To Provide For The Levy Of Taxes For Chester County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960; To Direct The Expenditure Thereof And Relating To Other Matters In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Chester County is hereby directed to levy during the year 1959 upon the recommendation and approval of a majority of the Chester County Legislative Delegation a tax of sufficient number of mills after taking into consideration indirect revenue accruing to the county to provide for the operation of the government of Chester County for the fiscal year commencing July 1, 1959, and ending June 30, 1960, as is set forth in Section 1 of this act. *Provided*, that the treasurer is hereby directed to collect said tax. *Provided*, further, that the Auditor of Chester County is hereby prohibited from the levying of any tax not approved by a majority of the Chester County Legislative Delegation except as otherwise provided by law for school purposes. *Provided*, further, that if no levy is set for ordinary county purposes, then the levy shall be the same as the preceding year.

Item 1. Administration

A. Office of Clerk of Court

Clerk	\$ 4,500.00
Deputy Clerk	2,700.00
Assistant Deputy Clerk	2,100.00

B. Office of Auditor	
Auditor (in addition to amount paid by the State of South Carolina)	1,500.00
Auditor—travel expenses	300.00
Assistant Auditor	2,700.00
C. Office of Treasurer	
Treasurer (in addition to amount paid by the State of South Carolina)	1,500.00
Treasurer—travel expenses	300.00
Assistant Treasurer	2,700.00
D. Tax Collector	
Tax Collector	3,600.00
Deputy Tax Collector	2,400.00
E. Office of Judge of Probate	
Judge of Probate, Salary	4,500.00
Deputy Judge of Probate, Salary	2,100.00
F. Office of the County Manager and the County Board of Directors	
Board members—Chairman, \$1,200.00, four members @ \$1,000.00 each	5,200.00
County Manager	6,000.00
<i>Provided</i> , that the County Manager shall carry out duties as hereinafter prescribed.	
Stenographer for County Manager	2,700.00
G. Board of Equalization and Assessment Control	
<i>Provided</i> , that this appropriation shall be spent under the direction of the County Manager of Chester County with the approval of the Chester County Legislative Delegation.	1,500.00
H. Legal Services, including County Attorney ...	
<i>Provided</i> , that all county agencies, departments, institutions and offices, including County Board of School Trustees and Chester County Hospital Board, shall call upon the legal department for any advice, opinions and other legal information.	2,200.00
I. Premiums on Bonds of County Officials	1,500.00
J. Premiums on Workmen's Compensation Insurance for County Employees	6,000.00
K. Janitor Service—Courthouse and other public buildings	
	2,000.00

Provided, the County Manager shall use prison labor when available.

- L. Custodian of Chester County War Memorial Building 720.00

Provided, said custodian shall be appointed by the County Manager upon the recommendation of a majority of the Chester County War Memorial Commission.

- M. Coroner—Salary 1,380.00
Coroner—Travel Expenses 200.00

Item 2. Sheriff's Office

- A. Sheriff\$ 4,500.00
Deputy Sheriff 3,720.00
Record Clerk 2,100.00

The Sheriff shall set up a complete system of records showing information on all prisoners placed in the jail and any other records he may deem wise. *Provided*, the record clerk shall keep such records and said records shall be available to the magistrates and all law enforcement officers. *Provided*, said records shall show the time when a prisoner is confined in County Jail and when released.

- B. Jailor 2,400.00

Provided, that the Jailor shall have charge of the jail and the dieting of prisoners in jail as hereinafter provided.

- C. Jail Expenses in dieting of prisoners and convicts in County Jail 4,500.00

Provided, that the Jailor shall keep an accurate record of the time a prisoner enters and leaves the county jail and the number of meals served each prisoner while he is confined in the county jail. Said Jailor shall be paid on a basis of thirty cents per meal. *Provided*, further, that the County Manager shall have supervision of and shall be held responsible for the expenditure of the above appropriation and shall be empowered to make rules and regulations of the expenditure thereof. *Provided*, further, that the jailor shall

submit to the County Manager his record of time each prisoner or convict spent in County Jail. Said record shall be used as a basis of payment by the County Manager for the dieting of prisoners and convicts.

Provided, further, that before payment is made by the County Manager to the jailor said County Manager shall compare and check record submitted by jailor with the jail book in the Sheriff's office.

Item 3. Magistrates

A. First District	\$ 3,360.00
B. Second District	1,000.00
C. Third District	1,200.00
D. Fourth District	1,000.00
E. Fifth District	870.00
F. Sixth District	870.00
G. Seventh District	3,000.00
H. Magistrates' Constables (5)	1,110.00

Provided, that the Constables shall be paid salaries at the rate now provided by law.

Item 4. Law Enforcement, Countywide\$ 31,610.00

Item 5. Law Enforcement Great Falls Area\$ 15,000.00

Item 6. Miscellaneous Law Enforcement

A. Support and Maintenance of Convicts at Stockade	\$ 10,000.00
B. Technician for Police Radio	600.00
C. Leased Telephone Line for Great Falls Law Enforcement Officers	1,080.00
D. Police Radio Operator	2,700.00
E. County Share for Police Radio Operator	1,350.00
F. Relief Operator, Police Radio	800.00

Provided, that said Police Radio Operators and Police Radio Technician shall be employed by the Chester County Police Commission upon the recommendations of the Chief of County Police; and *provided*, further, that said Chester County Police Commission shall prescribe the duties of the Police Radio Operator and Police Technician.

- G. Uniforms and supplies for Law Enforcement Officers 2,000.00
Provided, that the County Manager shall purchase uniforms as needed. *Provided*, further, that when a new law enforcement officer is hired there is hereby authorized and directed a deduction of \$25.00 per month from such officer's pay for a period of six months, said amount to apply to the purchase of uniforms.
- H. Jurors and Witnesses, including Magistrates' Jurors for regular or special terms of court 8,000.00
Provided, that Jurors for the Circuit Court shall be paid mileage each way for each mile actually traveled each day at 5¢ per mile.
Provided, Jurors shall be paid at the rate of seven dollars and fifty cents each day.
Provided, magistrates' jurors shall be paid as provided by law.
- I. Post Mortems, Inquests, Lunacy Commitments 1,000.00
- J. For operation of Law Enforcement automobiles 6,500.00
Provided, that identification signs shall be placed on all Chester County law enforcement automobiles and the county shops used for maintenance of all law enforcement automobiles and vehicles whenever possible. *Provided*, further, that Law Enforcement automobiles shall be used for official business only.
- Item 7. Farm Agencies
- A. Supplement to County Agent\$ 900.00
- B. County Agent for supplemental postage, telephone, etc. 50.00
- C. Supplement Salary to Assistant County Agent .. 600.00
- D. Supplement to County Agent's Stenographer .. 400.00
- E. Boys' 4-H Club Work 50.00
- F. Girls' 4-H Club Work 50.00
- G. Supplement Salary to Home Demonstration Agent 300.00
- H. Supplement to Stenographer for County Home Demonstration Agent 600.00
- I. Supplies for Home Demonstration Agent 100.00

J. Supplement to Salary, Negro Agricultural Agent	240.00
K. Janitor Service	36.00
L. Rent	240.00
M. Lights	12.00
N. Fuel	80.00
O. Telephone	122.00
P. Secretary to Negro Agricultural Agent and Negro Home Demonstration Agent	1,320.00
Q. Negro Home Demonstration Agent, Material	50.00
R. Negro Agricultural Agent, Demonstration Ma- terial	50.00
S. Negro 4-H Club Work, Boys' and Girls'	100.00
T. Negro Home Demonstration Agent	1,740.00
Item 8. Welfare	
A. Supplement Salary of County Director of Pub- lic Welfare	\$ 300.00
B. Supplement to Chester County Public Welfare Board	300.00
<i>Provided</i> , that members shall be paid at the rate of seven dollars per meeting and for mileage. (12 meetings per year)	
Item 9. Health	
A. State Board of Health—Vital Statistics	\$ 500.00
B. County Health Department	13,830.00
C. Tuberculosis Clinic Work	800.00
D. County Physician	1,400.00
Item 10. Veterans	
A. Service Officer for Veterans of all wars	\$ 3,900.00
B. Travel for Service Officer, if so much be neces- sary	\$ 1,200.00
C. Stenographic Help for Service Officer	2,100.00
Item 11. National Guard Unit at Chester	\$ 1,200.00
Item 12. Road Department	
A. Road equipment and expenses of operation of same, including road construction program op- erated in connection with and under the supervi- sion of the State Highway Department on State highways, including labor, roads, bridges, cul- verts and pipe lines	\$ 57,500.00

Provided, that the above amount is appropriated for the above stated purposes only, and before any new road construction or new projects are undertaken by the County Manager and County Board of Directors prior appropriation therefor shall be made by the County Legislative Delegation. *Provided*, further, that the County Manager shall be held responsible for any construction of new projects made contrary to the above provisions.

Provided, further, that all trucks, motor graders, tractors and other equipment shall have identification signs showing that they are the property of Chester County.

Item 13. Miscellaneous

A. Contributions on office rent, heat, water, lights, janitor service, Farm Home Administration . . . \$	160.00
B. Public Buildings, including water, lights, fuel and insurance, including Health Centers, Great Falls Jail and Chester County War Memorial Building	9,000.00
C. Printing, postage and stationery	8,500.00
D. Retirement and Social Security, County Employees	7,500.00
E. Chester County Commerce and Development Board for advertising county advantages, if so much be necessary	5,500.00
F. Chester Soil Conservation District to be used in employment of personnel to work with the Soil Conservation Service	1,000.00
G. Miscellaneous expenses, County Manager	1,200.00
H. Stenographer, Circuit Judge	1,200.00
I. Board of Registration	500.00
J. Expense, Tax Notices and Auditing Fees	1,000.00
K. Premium, Accident Insurance, County Law Enforcement Officers	275.00
L. Nursing Home Patients, if so much be necessary	6,000.00
<i>Provided</i> , that the above amount shall be expended by the County Manager on patients in nursing homes that are approved by the State	

Board of Public Welfare and the State Health Department; *Provided*, further, that said patients shall be approved by the Chester County Welfare Department.

- M. Chester County Board of School Trustees 2,400.00
Provided, that the above appropriation shall be paid each Trustee at the rate of \$20.00 per meeting, not to exceed twelve meetings per year.

TOTAL \$304,875.00

SECTION 2. The following taxes are levied upon the taxable property of Chester County for the year 1959 for expenditure during the fiscal year commencing July 1, 1959, and ending June 30, 1960, for the following purposes:

(a) To provide funds for retiring and paying interest on Chester County Hospital bonds (issue of 1950) and War Memorial Building bonds (issue of 1949), three mills;

(b) For Chester County Hospital, one mill, if so much be necessary, for hospitalization of deserving charity patients whose condition demands hospitalization. *Provided*, however, that no more than one-twelfth of the above amount, if so much be necessary, shall be spent in any one month; *provided*, further, that the treasurer shall make these funds available direct to the Chester County Hospital Board upon itemized statements of the number of days spent in the hospital by charity patients signed by each patient and certified by the hospital management. *Provided*, further, the Chester County Hospital Board is responsible for and charged with the expenditure of the above levy for hospitalization of charity patients and is hereby authorized and directed to make such investigations in order to determine who is eligible for charity hospitalization as they deem wise. *Provided*, further, that the Chester County Board of Public Welfare is hereby directed to make any such investigations of charity patients as the Chester County Hospital Board may request. *Provided*, further, that the charity patients referred to herein shall be citizens of Chester County;

(c) For county roads, five mills, to be expended on the county roads. Such expenditure shall include labor, roads, bridges, culverts and pipe lines and the construction program operated in connection with and under the supervision of the State Highway Department on roads now in or roads to be placed in the State Highway System.

The funds raised from this levy are appropriated for the above-stated purposes only, and any new road construction or projects shall not be undertaken by the County Manager or the County Board of Directors unless and until an appropriation has been made therefor by the county legislative delegation;

(d) For Chester County Library, one and three-quarters mills; *provided*, this levy shall supersede levy made in Act No. 293 of the Acts of the General Assembly of 1949.

Provided, however, that the Auditor of Chester County is hereby directed, upon the written approval of a majority of the Chester County Legislative Delegation, to reduce these levies or to eliminate them entirely. *Provided*, further, that in case the funds provided by the above levies prove to be more than enough for such purposes, the treasurer, upon the written authority of the majority of the Chester County Legislative Delegation, shall transfer such excess funds to the Chester County Contingent Fund.

SECTION 3. The county treasurer is empowered to borrow in anticipation of taxes levied so much money as may be necessary to pay the authorized expenses of the county in case of emergency; *provided*, it shall be borrowed upon the request of the board of county directors, with the approval in writing of a majority of the Chester County Legislative Delegation.

SECTION 4. In the event it should be found that the amount appropriated for any specific purpose is more than is necessary, the county manager shall have the right, with the written approval of a majority of the legislative delegation, to apply such surplus to other necessary county purposes and *provided*, further, that the county manager shall not have the right to exceed the appropriations herein made for any specific purpose unless he is authorized prior thereto in writing by a majority of the legislative delegation.

SECTION 5. All county officers, departments, boards and agencies, including the jailor, when in need of supplies, shall make written requisition to the county manager for all supplies needed and in no case shall any purchases be made except as above specified.

SECTION 6. The errors, if any, in the total of this act shall not affect any of the several items named herein.

SECTION 7. The salaries, expense items and rents herein provided for shall be payable monthly, unless otherwise specified and provided.

SECTION 8. The county manager is hereby authorized to allow any pay for full ten days' time every two weeks for regular truck drivers, regular machine hands, regular machinists or mechanics, regular foremen of bridge gangs and regular patrol foremen when their time may be interfered with by weather conditions; *provided*, these employees shall be paid weekly; *provided*, however, that these employees report for work and do such work as conditions will permit; *provided*, further, that this shall not interfere with previous arrangements made by the county manager in case of sickness of employees and shall not interfere with the number of holidays heretofore allowed and *provided*, further, that the provisions of this section shall not be construed to interfere with the authority of the county manager to discharge any employee for cause, dismiss one when his term of employment has expired, or "lay off" one when his services are not needed, or when there are no funds with which to pay for the work in which he is engaged. *Provided*, further, that the county manager is hereby authorized to allow a vacation of one week each year with pay for such employees who have been in the employ of the county for one full continuous year immediately preceding such vacation. *Provided*, further, that the rate of pay for all county road employees shall be determined and fixed by the county manager and shall be consistent with the amount appropriated each year in the annual Chester County Supply Act. *Provided*, further, that when the pay is so determined by the county manager, such rates of pay shall be recommended to the county board of directors for their approval.

SECTION 9. The furniture, fixtures and equipment located on the second floor of the Chester County War Memorial Building shall not be loaned or removed from the building.

SECTION 10. The county manager is hereby authorized to lease or sell land and building formerly known as the Chester County Nursing and Convalescent Home. *Provided*, that before any lease or sale is made by the county manager he shall submit same to the county board of directors and county legislative delegation for their approval.

SECTION 11. The salaries appropriated in this act for all county officers and offices are appropriated in lieu of all fees now provided by law and shall be paid in lieu of all fees.

SECTION 12. The salary for the court bailiff is hereby fixed at six dollars per diem for days actually served in court.

SECTION 13. The county manager and the executive secretary of the Chester County Board of School Trustees are hereby authorized and directed to post on or before the tenth day of each month, on the bulletin board in the courthouse, an itemized list of all disbursements made during the preceding month.

SECTION 14. The county manager is hereby authorized and directed to maintain all streets in the City of Chester not now in the State Highway System.

SECTION 15. The words "County Delegation," "majority of the legislative delegation," and words of similar import when used to refer to the group which must approve or take certain action shall, in all cases when used in this act or any act applicable to Chester County, mean the Senator and one-half of the members of the House of Representatives from Chester County.

SECTION 16. All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R543, H1242)

No. 379

An Act To Create The Chester Metropolitan District And To Define Its Boundaries; To Provide For The Chester Metropolitan District Commission And To Define Its Powers With Respect To Providing Water And Sewerage Facilities Within Such District; To Confer Certain Powers And Duties With Respect To Providing Such Water And Sewerage Facilities Upon The City Of Chester; And To Provide For The Issuance Of Bonds Of The District For The Purpose Of Carrying Out The Provisions Of This Act.

Whereas, areas contiguous to, but not embraced within the corporate limits of the City of Chester, have been steadily and progressively

becoming built up and congested with residences, industries and business establishments, and such progress, development and congestion of such areas is continuing, developing and expanding and will continue so to do; and

Whereas, the public health, convenience, safety and protection require that such areas be furnished with and have the advantage of adequate water and sewerage facilities, and such utilities are not now provided, either at all or in sufficient and proper quantity and quality, for some or all of such congested sections, and the number and extent of such congested sections will continue to develop and expand and provision should be made to furnish such necessary utilities as rapidly and in as adequate degree as possible; and

Whereas, the City of Chester has production facilities for furnishing such services to the outlying areas herein referred to, if distribution systems are provided; and

Whereas, the areas outside the corporate limits of the City of Chester should be created into a body politic and corporate, to be known as the Chester Metropolitan District, embracing the territory hereinafter defined, and such body politic and corporate, and the area embraced therein, hereinafter being referred to as the District, to the end that such District may be furnished with such services in accordance with the present and future needs of congested sections therein, and that the finances of the operation of the sale and delivery of such utilities within the areas outside the City of Chester should be kept separate and distinct from those accruing within the city limits, to the end that those receiving and paying for such services in the areas within and without the corporate limits of the City of Chester shall respectively pay for and receive the benefits of the expense and the income of such utilities in the two areas, in separate units, and so as not to impose upon the users of such utilities within either of the areas burdens or expense because of utilities in the other area. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chester Metropolitan District created in Chester County—area.—There is hereby created and established in Chester County a district to be known as Chester Metropolitan District, with such duties, powers and authority as herein provided, which shall be a body politic and corporate, and be subject to the rules, regulations and provisions of this act. The District shall be comprised of the

territory excluding the plant area of any and all manufacturing establishments embraced within the following descriptions:

All that area of land adjoining and outside the corporate limits of the City of Chester, in Chester County, South Carolina, being bounded by a line beginning at a point near Springmaid Golf Course at the intersection of the line of the Chester City limits with the center line of a proposed road or street being Highway No. 321 Extension and running in a westerly direction with the center line of said Highway No. 321 Extension to the eastern margin of a proposed highway being Highway No. 321 By-Pass, and running thence with the eastern margin of said Highway No. 321 By-Pass to a point where a public road known as S. M. Gibson Road will intersect said Highway No. 321 By-Pass, thence in a western direction along said S. M. Gibson Road to Pine Ridge Road, thence in a southerly direction along said Pine Ridge Road to the northeastern corner of W. M. Bailey lot, thence in a western direction 500 ft. along Bailey line extended, thence in a southerly direction along a line 500 ft. west of and parallel to said Pine Ridge Road to State Highway No. 9, thence along State Highway No. 9 in an easterly direction to Secondary Highway No. 304, thence along Secondary Highway No. 304 to intersection with a public road known as Roland Ferrell Road, thence along said Roland Ferrell Road and a line extending in the same direction to S. A. L. Railway, thence in a straight line to a point on State Highway No. 72, 500 ft. southwest of City limits, thence along State Highway No. 72 to City Limits, thence along City limits in a northerly direction in an arc to the right to the point of beginning.

Also all that area of land adjoining and outside the corporate limits of the City of Chester, in Chester County, South Carolina, being bounded by a line beginning at a point on Chester City limits 500 ft. southwest of intersection of said City limits with Highway No. 321, known as Columbia Street, and running thence in a southeasterly direction along a line 500 ft. southwest of and parallel to Highway No. 321 to a point opposite intersection of Highway No. 321 and Highway No. 97, thence along a line 500 ft. southwest of and parallel with Highway No. 97 to a point opposite Old Purity Church and graveyard, thence across Highway No. 97, between the Church and graveyard to rear, southeastern corner of property of Chester County Hospital, thence in northwesterly direction along rear line of Chester County Hospital property to northeast corner thereof, thence in a

straight line to a point on eastern margin of Southern Railway right-of-way 200 ft. northwest of intersection of said railway right-of-way margin and State Highway No. 97, thence along said Southern Railway right-of-way to point 500 ft. southeast of No. 72 By-Pass, thence in a line 500 ft. southeast of and parallel with said No. 72 By-Pass to point opposite Wilson Street, thence to and along Wilson Street to L. & C. Railway, thence in a northeasterly direction along said L. & C. Railway to a point 200 ft. east of No. 72 By-Pass, thence in a line 200 ft. east of and parallel with No. 72 By-Pass to a point 500 ft. from Grassy Run Branch, thence in an easterly direction 500 ft. from and parallel with said Grassy Run Branch to a point 200 ft. below the Springs Mills Eureka Disposal Plant, thence to a point at intersection of eastern line of Robbins Circle Development with S. A. L. Railway right-of-way, thence to a point at intersection of northern line of Red's Place with northwest margin of Highway No. 72, thence along northern boundary of Red's Place and Extension thereof to a point 500 ft. from said northwest margin of Highway No. 72, thence to rear or northern corner of Clayton Wright lot, thence to a point on Southern Railway 200 ft. northeast of Secondary Highway No. 187, thence in a westerly direction 200 ft. from and parallel with said Highway No. 187 to C. & N. W. Railway Right-of-way, thence in a direction toward rear corner of Fair Grounds to City Limits, thence along City limits in a southerly direction in an arc to the right to the point of beginning.

SECTION 2. Governed by a commission—members—terms—organization.—The District shall be governed by a commission composed of three members, who shall be residents of the District and shall be appointed by the Governor, upon the recommendation of the Senator and one-half of the Chester County Legislative Delegation. The terms of office of the members of the commission shall be four years. The commission shall be known as the Chester Metropolitan Commission and shall hereinafter be referred to as the commission. All commissioners shall serve without compensation. Upon their appointment, they shall organize and from among themselves elect a chairman and a secretary and adopt an official seal.

SECTION 3. Powers and duties.—The commission shall have power:

(a) to establish, extend, enlarge, maintain and operate a water system or systems and a system or systems of sewer, sewer lines and

sewer mains, and such water lines as may be necessary for the proper operation of the sewer system or systems;

(b) to construct, operate and maintain a water plant or plants and a plant or plants proper and adequate to treat and dispose of sewerage in the district;

(c) to purchase, lease and hold real estate, easements, water rights and property rights reasonably necessary in their judgment for carrying out the purposes of this act;

(d) to purchase or lease existing water and sewer lines, mains or systems and sewerage disposal plants and to make contracts whereby the same may be connected to the lines or systems which the commission may establish;

(e) to make all lawful contracts reasonably necessary for achieving the principal purposes of this act so that ultimately the district may be adequately served by a coordinated and unified system of water lines and sewers and sewerage disposal efficiently and economically operated;

(f) to employ such engineering, clerical and other help as they deem necessary, and fix the salaries and compensation of such employees;

(g) to make any and all regulations which they consider necessary to the construction, establishment, maintenance and proper operation in the District of water systems and sewer systems, sewer mains, sewer trunklines and sewerage treatment or disposal plants;

(h) to generally do all things proper and necessary to establish and maintain an adequate water system or systems and an adequate system or systems of sewer and sewerage disposal in the District for the protection of health and the establishment and maintenance of proper sanitary conditions therein;

(i) to condemn, for the purposes of this act, lands, easements, water rights, property rights, water systems, lines and mains, sewer systems, lines and mains, and the right to connect with or through existing systems, in all cases where any of these things are reasonably required for carrying out this act, and cannot be obtained by contract from the owner or owners, which the commission is willing to make, the right of condemnation to be exercised in the same manner as prescribed for the condemnation of rights-of-ways by counties; and

(j) to install fire hydrants at such intervals as to provide adequate fire protection in all sections where water lines are constructed, expanded or extended within the District and are adequate for such purpose.

SECTION 4. Funds.—In exercising the powers conferred by Section 3 of this act the commission may use funds made available under this act or provided by appropriations and shall cooperate with the City of Chester, hereinafter referred to as the city, but all final determinations with respect to the exercise of such powers are to be made by the commission if there be dispute or disagreement with respect thereto.

SECTION 5. City may construct facilities and serve certain areas upon approval of commission.—If the city has funds available with which to construct or acquire facilities in any section of the District and determines by appropriate legal action to do so, it shall apply to the commission for the right to construct or acquire facilities to serve such area and to define the type, nature and extent of the facilities to be constructed or acquired and if the commission, upon investigation and survey determines that the city could best serve the area with such facilities, it shall by resolution allow the city to proceed with the construction or acquisition of such designated facilities within such area of the District.

SECTION 6. Enlargement of present facilities.—In any section of the District already provided by the City of Chester with some extent or form of facilities, but such facilities are, and they are determined by the commission to be, inadequate or insufficient, such facilities may be enlarged, extended, added to or replaced in the same manner and under the same conditions provided for herein for original construction; *provided*, that where necessary to adjust construction or replacement costs as between the city and the commission, equitable determination of facts for such purposes shall be made and declared.

SECTION 7. Facilities to be connected with city facilities.—All facilities now or hereafter constructed within the District, whether at the expense of the commission or the city, shall be connected with and served by the present or future sources of water supply or sewer facilities, trunk or main line, disposal plants and other primary facilities of the city and the city shall furnish all such facilities for all such systems as may now or hereafter be constructed within the area.

SECTION 8. No water or sewer lines to be constructed in subdivisions without approval of commission—responsibility of city.—Any person desiring to develop or construct subdivisions, in-

dustrial villages or other similar populated areas, within the District and to lay water and sewer lines therein at the expense of such person, as a part of such development, shall submit plans showing the proposed utility lines to the commission, and secure its approval thereof, and upon securing such approval from the commission, may proceed to construct such lines upon such conditions and with such requirements as the commission may designate, and the person bearing the expense of such construction shall be entitled to collect tapping or connecting charges to individual outlets until the expense thereof has been repaid; *provided*, that neither the commission nor the city shall be required to permit connection for any such development unless adequate facilities therefor have been provided within a congested area in which such development is located, and that the commission or the city shall have power and authority to regulate the number and size of individual connections or taps that may be made in any such development, having regard for the available facilities therefor; and that the city shall have power and authority to make proper charge for making connections for such development; and *provided*, further, that when the person, making such development has ceased to provide for and make such individual taps or connections, or has otherwise discontinued responsibility for such development or the facilities in connection therewith, that all utility systems so laid in such development shall become a part of the District system of utilities, and thereafter connection shall be made at the same charges and under the same conditions as any other connections or taps within the District; and *provided*, further, that maintenance and service of all such systems and of the individual connections thereon, shall be the responsibility of the city as in the case of all other customers within the area from the time the individual connections or taps are made with similar charges for service.

SECTION 9. Commission may assume entire operation of its facilities.—If the commission at any time shall determine that it will be more advantageous to the District to assume the entire operation of its own facilities, it is hereby vested with the authority to do so. If in accordance with this section the commission assumes the entire operation of the facilities within the District it shall make such annual adjustment or accounting with the city as may be equitable and just.

SECTION 10. City and district to be separate.—It is the intent and purpose of this act that the ownership of the facilities and of

the income therefrom within the corporate limits of the city and within the District shall ultimately be entirely separate and distinct, with the ownership thereof vested in the city and the District, within their respective territories. All facilities and systems within the District shall be the sole property of the District, as a body politic and corporate, and shall be governed by the commission with due allowance for the cost of maintenance and service, proportionate expense of plant facilities, maintenance fund and proportion of overhead to the city and all remainder to be paid into the special fund herein provided.

SECTION 11. Rates.—The rates to be charged for utilities services within the District shall be fixed by the commission, but with adequate provision for reimbursement to the county or the city for any amounts advanced by them, and for further construction, extension and expansion within the district.

SECTION 12. Funds may be supplemented.—The funds for the accomplishment of the purposes of the District, as provided by this act, insofar as the District and Chester County are concerned, may be supplemented as may be by law provided from time to time, and by bond issues in addition to the bond issue provided herein, under such conditions and with such requirements as the General Assembly may provide, subject to any outstanding bonds or obligations.

SECTION 13. Present obligations of city not to cover additional facilities.—The obligation and lien of any bonds now outstanding of the city shall not cover, nor be construed to cover, any facilities or systems therefor within the District, which are not already now covered by the obligation and lien of such bonds; *provided*, that any extensions, expansions, construction or addition of systems within the District, by the city pursuant to the provisions of this act which are properly subject to the obligation and lien of any present bonds, shall continue to be subject thereto, without impairment.

SECTION 14. Act not to affect present bonds.—Nothing herein contained is intended or shall be construed to destroy, impair, lessen or otherwise affect the obligation, lien or other right or interest of any present outstanding bond issue, or of the holder of any such bonds.

SECTION 15. Records—audits—bids.—The commission shall keep a permanent record of its proceedings, which shall be at all times accessible to the public, and also of all contracts made by it, and an accurate map and plan of the work done and projected, and shall keep proper books showing in detail all moneys received and disbursed by it. The books shall be audited annually by an independent auditing firm selected by the commission. The commission shall advertise for bids for at least thirty days in one or more newspapers published in the district on contracts for work to be done and materials to be furnished, and shall have the right to reject any and all bids and to enter contracts with the lowest responsible bidders.

SECTION 16. Bond issue—purpose.—The commission is hereby authorized and empowered to issue and sell bonds of the district in a sum not exceeding three hundred thousand dollars the proceeds of which shall be used by the commission for establishing, construction, extending, enlarging, operating and maintaining water and sewer systems and lines and proper treatment of disposal plants in the district and necessary water lines. The bonds shall be of the denomination of one thousand dollars or the multiple thereof, and shall bear interest not to exceed five per cent per annum, payable annually or semi-annually, as the commission shall determine. They shall mature all at one time, or in series or installments, as the commission shall determine, but all shall mature within forty years from date. They shall be exempt from all State, county and municipal taxes. The bonds shall be signed by the chairman of the commission and attested by its secretary and the official seal of the district shall be affixed to or impressed upon them. The interest coupons need not be authenticated other than by the facsimile signature of the officials lithographed or engraved thereon. The bonds shall be issued and sold from time to time, and in such amounts as the commissioners shall determine, the sales to be made to the highest bidders for cash, after advertisement, as the commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery. The commission shall have the right to reject any and all bids as its discretion may dictate.

SECTION 17. Payment.—Until the principal and interest of all bonds, issued under this act, shall be fully paid, there shall be levied annually, on all taxable property in Chester Metropolitan District, a tax sufficient to pay such interest as it becomes due, and to provide a sinking fund sufficient to pay the principal at the date or dates of its

maturity. The annual tax shall be levied and collected by the same officers and in the same manner as is provided for the levy and collection of taxes for county purposes in Chester County. The money so collected shall be applied by or under the directions of the county treasurer to the payment of principal and interest of the bonds as they respectively mature, and pending such application shall be deposited or invested by, or under the direction of, the Chester Metropolitan District Commission, and the county treasurer.

SECTION 18. Proceeds.—The proceeds of the sale of the bonds shall be kept by the county treasurer as a separate fund and shall be paid out only upon orders or warrants of the Chester Metropolitan Commission for the purposes specified in this act.

SECTION 19. Commission may reimburse persons for present sewerage disposal contracts.—The commission is authorized and empowered to reimburse any person in the District for the value of any sewerage disposal contracts that may be now in effect with the City of Chester, such reimbursement to be from the proceeds of the bond issue hereinbefore authorized. The value of any contracts is to be determined by negotiation, and failing, the same shall be determined by arbitration. For the purpose of arbitration, the commission shall appoint one arbitrator, and the person affected shall appoint one. If these two agree, the reimbursements as determined by them shall be final and shall be paid. If the two appointed cannot agree, they shall appoint and call in a third arbitrator, and the determination of a majority of the three shall be final and the award fixed shall be paid.

SECTION 20. Saving clause.—It is declared to be the legislative intent that the provisions of this act are separable and that if any provisions of this act be declared unconstitutional or invalid that such unconstitutionality or invalidity shall not extend to, affect or impair the remaining provisions of this act, which shall continue in full force and effect.

SECTION 21. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 22. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R33, H1119)

No. 380

An Act To Amend Act No. 1055 Of The Acts Of 1958, Relating To Appropriations For Chesterfield County, Eliminating The Provision Prohibiting The Clerk Of The County Board Of Commissioners From Using A County Vehicle Or County Gasoline.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Item 1, Section 1, of Act 1055 of 1958, amended—proviso prohibiting clerk of County Board from using county vehicle, deleted.—Item 1 of Section 1 of Act No. 1055 of the Acts of 1958, is amended by striking therefrom the first proviso.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R483, H1592)

No. 381

An Act To Empower The Board Of County Commissioners Of Chesterfield County To Issue Under The Conditions And For The Purposes Herein Prescribed Not Exceeding Three Hundred Fifty Thousand Dollars General Obligation Bonds Of Chesterfield County And Make Provision Of The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that Chesterfield County is indebted to the State Sinking Fund in the principal amount of one hundred eighty-four thousand five hundred dollars, such indebtedness being evidenced by short term notes.

The General Assembly further finds that an accumulated surplus belonging to the school districts of Chesterfield County was used to meet ordinary county purposes during several previous fiscal years, and that by reason thereof Chesterfield County became indebted to such school districts. While certain of such indebtedness has been

heretofore paid, there is now due to the school districts of Chesterfield County the sum of seventy thousand dollars.

The General Assembly further finds that Chesterfield County is indebted to various hospitals in the amount of approximately twenty-five thousand dollars for pauper sick of Chesterfield County pursuant to authorization of public officers of Chesterfield County, whose actions thereabout are duly validated and confirmed.

The General Assembly further finds that capital expenditures for road improvement and road building machinery are required for the county roads of Chesterfield County. It is therefore determined to authorize the issuance of three hundred fifty thousand dollars general obligation bonds for Chesterfield County, whose proceeds shall be used:

- (a) To pay the debt of Chesterfield County to the State Sinking Fund;
- (b) To discharge in toto the obligation of Chesterfield County to the school districts of Chesterfield County;
- (c) To discharge the indebtedness owed various hospitals for care of charity cases; and
- (d) To provide funds for the improvement of county roads and the acquisition of road building machinery.

SECTION 2. Bond issue authorized.—In order to provide funds to be used for the purposes set forth in Section 1 of this act, the Board of Commissioners of Chesterfield County, hereafter called the Board, shall be empowered to issue general obligation bonds of Chesterfield County in the principal amount of three hundred fifty thousand dollars.

SECTION 3. Issue — maturity — redemption — interest.—The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual instalments of such amounts as may be determined by the Board. The maturity date of the first instalment of any series shall be not later than two years from the date of such series and the maturity date of the last instalment of such series shall be not later than fifteen years from the date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the Board. They shall bear such rates of interest as the Board may determine, payable semiannually, but the interest cost of any issue shall not exceed

four per cent per annum. They shall bear such dates and be payable at such places as the Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Chesterfield County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Board may prescribe.

SECTION 4. Execution.—The bonds shall be executed in such manner as the Board shall prescribe.

SECTION 5. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Chesterfield County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first instalment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first instalment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Board for:

(a) The cost of issuing the bonds;

(b) To pay in full the indebtedness of Chesterfield County to the State Sinking Fund Commission;

(c) To discharge in toto the indebtedness of Chesterfield County to the school districts of Chesterfield County;

(d) To discharge the indebtedness of Chesterfield County to various hospitals for hospital care for charity cases; and

(e) So much as shall remain after making the applications set forth above shall be expended for improvement to county roads and acquiring road building machinery therefor.

As soon as convenient, following delivery of the bonds, the payments required by (b) and (c) of this section shall be effected.

SECTION 6. Payment.—The full faith, credit and taxing power of Chesterfield County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county sufficient to pay such principal and interest as the same respectively mature.

SECTION 7. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R518, H1805)

No. 382

An Act To Make Supplementary Appropriations For Chesterfield County For The Fiscal Year 1958-1959.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplementary appropriations are hereby made for the fiscal year July 1, 1958, to June 30, 1959, for the operation of the county government of Chesterfield County :

Water, fuel, lights and insurance and other incidentals for maintenance of public buildings	\$ 1,400.00
Jail expenses, including dieting of prisoners at one dollar and fifty cents per day, and incidentals	1,700.00
Post-mortems, Inquests and Lunacies	400.00
Travel—County Officers on official business	600.00
County Contribution to Retirement	150.00
Maintenance of Indigents	600.00
Hospital Fund	25,000.00
Physicians' Fees and Drugs	400.00
For construction, improvement and maintenance of public roads and bridges	10,000.00
Salary of Secretary of Board of Election Commissioners in connection with 1958 election	150.00
Expenses of Board of Election Commissioners in connection with 1958 election; <i>provided</i> , that on submission of verified claims the Election Commissioners shall be paid for travel at the rate of seven cents per mile.	250.00
Clerical Assistance to County Auditor	274.27
County Tuberculosis Health Nurse—supplies and incidentals	364.00

Provided, that this appropriation is in lieu of the appropriation heretofore made for patients at the Florence-Darlington Sanatorium.

Total\$ 41,288.27

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R519, H1806)

No. 383

An Act To Provide For The Levy Of Taxes For Ordinary And Other County Purposes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960; To Appropriate Monies For The Operation Of The County Government Of Chesterfield County During The Fiscal Year And To Further Regulate The Administration Of The County Government Of Chesterfield County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are hereby made for the fiscal year July 1, 1959 to June 30, 1960 for the operation of the county government of Chesterfield County:

Item 1. Administrative Department:

Clerk of Court	\$ 600.00
Clerk of Court Clerk Hire	1,500.00
Salary of Probate Judge	100.00
Salary of County Auditor	1,150.00
Clerical Assistance to County Auditor	3,960.00
Salary of County Treasurer	1,150.00
Clerical Assistance to County Treasurer	3,960.00
Secretary of Sinking Fund Commission	600.00
Tax Collector	3,600.00
One Clerk to Tax Collector	2,220.00
The Tax Collector shall also receive seven cents per mile for travel in the actual discharge of his	

duties to be paid upon itemized statements duly sworn to.

Salary of Clerk to County Board of Commissioners and Road Supervisor	3,600.00
Travel Expenses for Clerk to County Board ...	600.00
For Assistant Clerk Hire	2,400.00
Salaries of three County Commissioners @ six hundred dollars each	1,800.00
Travel, County Commissioners @ four hundred twenty dollars each	1,260.00

Provided, that the salary and travel provided above for County Commissioners shall be paid from the Highway Fund.

Salary of Coroner	720.00
Travel Expense—County Coroner	280.00
County Service Officer	2,700.00
Travel Expense—County Service Officer	900.00
Clerk, County Service Office	1,980.00

The state funds payable to Chesterfield County for the maintenance and services of the County Service Office shall be deposited in the county treasury to the credit of the General County Fund.

Janitor, Courthouse	1,760.00
County Board of Equalization	1,500.00
Vital Statistics	300.00
Stenographer, County and Home Demonstration Office	1,440.00
For Demonstration Supplies and Telephone	250.00
Boys' 4-H Club	100.00
Girls' 4-H Club	100.00
Negro 4-H Club	100.00
Future Farmers of America	300.00
Salary of Negro Home Demonstration Agent ..	1,890.00
Negro Agricultural Agent and Negro Home Demonstration Agent—Rent, Equipment, Office Expenses and Clerical Help	1,875.00

Provided, this fund shall be spent upon the approval of the Negro Agricultural Agent and the Negro Home Demonstration Agent.

Payment of Rent for FHA Office	240.00
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Master's Office, Telephone and Supplies	150.00
County Health Department	8,000.00
Insect Control Program	500.00
Water, fuel, lights and insurance and other incidentals for maintenance of public buildings ..	7,500.00
Printing, postage, stationery, office supplies and incidentals for county offices	7,000.00
To County Health Department for maintenance of Memorial Health Center building and grounds ..	800.00
To Clerk of Court for maintenance of Court-house grounds	100.00
Salary of County Attorney	900.00
<i>Provided</i> , that the county attorney shall be appointed by the County Board of Commissioners subject to the approval of a majority of the county legislative delegation.	
County Contribution to Retirement County Officials	3,900.00
Workmen's Compensation	1,250.00
Workmen's Compensation coverage for Chesterfield County School Teachers and School Employees, if so much be needed	1,500.00
<i>Provided</i> , that the School Teachers and all School Employees of Chesterfield County be provided with Workmen's Compensation coverage and that this coverage be placed with the State's Workmen's Compensation Fund.	
<i>Provided</i> , that the appropriations for a Negro Home Demonstration Agent shall cease when such expense is taken over by the State and Federal Governments.	
County Contribution to Social Security of County Employees	3,000.00

Total, Item 1\$ 79,535.00

Item 2. Judicial Department:

Salaries of Magistrates:

Courthouse Township	\$ 1,200.00
Pageland Township	1,200.00
Cheraw Township	1,200.00
Alligator Township	960.00

Mt. Croghan Township	960.00
Jefferson Township	960.00
Cole Hill Township	800.00
Pee Dee Township	600.00
Steer Pen Township	600.00
Brock's Mill District	600.00
Per diem and mileage of jurors and witnesses, bailiffs, court crier and other court attaches	7,000.00
<i>Provided</i> , that the bailiffs and court crier shall be paid at the rate of eight dollars for each day of attendance on the court; <i>provided</i> , further, that the bailiffs and court crier and jurors shall be paid mileage both ways for each day of at- tendance on the court at the rate of seven cents per mile; <i>provided</i> , further, that magistrate court jurors in criminal cases shall be paid two dollars each, such payment to be made by the Board of County Commissioners on the certification of the magistrate and to be disbursed by the magis- trate.	
Total, Item 2	\$ 16,080.00
Item 3. Law Enforcement:	
Sheriff, General Salary	\$ 3,400.00
Sheriff, Travel Expenses	2,180.00
Salary of seven Rural Deputies @ \$2,400.00 each	16,800.00
Travel Expenses for seven Rural Deputies at \$175.00 each per month	14,700.00
Uniforms for seven Deputy Sheriffs and Radio Operator, to be approved by Sheriff	1,600.00
Clerical Assistants and Radio Operator for Sheriff's Office	2,310.00
Maintenance and Operation of radios for Sheriff and Deputy Sheriffs and incidental expenses ...	1,200.00
Salaries of Magistrates' Constables:	
Cole Hill Township	600.00
Pee Dee Township	480.00
Brock's Mill District	480.00
Steer Pen Township	480.00
Jail Expenses, including dieting of prisoners at one dollar and fifty cents per day and incidentals	7,000.00

Cook for Jail	650.00
Post Mortems, Inquests and Lunacies	1,300.00
Officers' Bonds	2,000.00
For travel of County Officers on official business at seven cents per mile	1,200.00
No travel pay, other than the items for travel expense provided herein for the officers specified shall be allowed or paid to any county officer or employee under any circumstances whatever, for travel in Chesterfield County. No allowance or travel expense for any county officer, em- ployee, or agent for travel on official business outside of Chesterfield County shall be allowed or paid under any circumstances unless the Sheriff of Chesterfield County shall have first made written request to the Board of County Commissioners for such travel and the request of the sheriff has been approved by the Board of County Commissioners. Every such request in writing to the County Commissioners must be attached to and made a part of the voucher for the payment of such travel expense, and retained as a permanent record.	

Total, Item 3		\$ 56,380.00
Item 4.	Contributions and Charity:	
	Maintenance of Indigents	\$ 4,000.00
	Hospital Fund	10,000.00
This fund shall be spent by the County Board of Commissioners, and shall be paid directly to the hospitals. Such aid shall be granted only to destitute persons upon a certificate from a reputable physician that such hospitalization is absolutely necessary. All applications to the Board of County Commissioners for benefits un- der the "Hospitalization Fund" herein provided shall be referred by the clerk of the board to the County Welfare Department, which shall make an immediate investigation and report its find- ings, conclusions and recommendations to the County Commissioners. No application for hos-		

pital aid shall be approved unless and until it has been recommended by the Director of the County Welfare Department; *provided*, that the clerk of the Board of County Commissioners and the Administrator of the Chesterfield County Memorial Hospital may authorize such aid when the physician certifies that immediate hospitalization is necessary for an operation or other sufficient medical reason, but not otherwise; *provided*, further, that the application of the patient, the recommendation of the Director of the County Welfare Department, and the action of the Board of County Commissioners must be attached to and made a part of the voucher for the payment of all grants of aid under said Hospitalization Fund. When an emergency application for aid from said Hospitalization Fund has been granted by the clerk, or the Board of County Commissioners, as herein authorized, the certificate of the physician upon which the application was granted and the written authorization of the clerk must be attached to the warrant or voucher issued for payment of such aid. No authorization for hospital care shall be good for more than ten days unless reinvestigated and reapproved and the Board of County Commissioners shall have authority to set maximums both for per day and total care. The Treasurer of Chesterfield County is forbidden to pay any claim or voucher drawn against said Hospitalization Fund unless it strictly complies with the terms and conditions herein prescribed, and has said proofs thereunto annexed, and the voucher and proof shall be retained as a permanent record.

Physicians' Fees and Drugs	1,000.00
County Tuberculosis Health Nurse, Supplies and Incidentals	964.00
Three National Guard Companies, \$1,000.00 each	3,000.00
Total, Item 4	\$ 18,964.00

Item 5. Chesterfield County Welfare Department:

Emergency Relief	\$ 1,000.00
Emergency Board for Children	1,000.00
Office Rent	900.00
Telephone and Telegraph	180.00
Fire Insurance Premium on Office Equipment ..	45.00
Contingent Fund	500.00

Total, Item 5\$ 3,625.00

The Board of County Commissioners is directed and required to supply the necessary fuel, lights, and water for the County Welfare Office and to pay for the same out of the appropriation herein for water, fuel, lights, etc.; for the maintenance of public buildings.

Item 6. General Contingent Fund\$ 3,000.00

Provided, that this amount, or so much thereof as is required, shall be expended to meet unforeseen emergencies and contingencies by the Board of County Commissioners.

Total, Item 6\$ 3,000.00

Item 7. For Annual County Audit, if so much be necessary

.....\$ 3,000.00

Total, Item 7\$ 3,000.00

GRAND TOTAL\$180,584.00

SECTION 2. All appropriations made and provided herein shall lapse, cease and terminate at the end of the fiscal year for which they are made except that appropriations for the payment of bonds or notes or interest on bonds or notes shall remain effective until such bonds, notes or interest are paid.

SECTION 3. The sum of eighty thousand dollars is hereby appropriated as the Chesterfield County Highway Fund, which fund is to be expended by the Board of County Commissioners for the construction, improvement and maintenance of county public roads and bridges, for the purchase, repair, replacement and maintenance of road building and maintenance machinery and equipment and

for the purposes specified in this act and for purposes set forth in the official budget of the Board of County Commissioners and for incidental purposes.

SECTION 4. The County Commissioners are hereby required to keep a separate account covering the various items of the supply act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the County Board of Commissioners shall make monthly statements of expenditures and balances of the different items, both to the board, and to each member of the Legislative Delegation from Chesterfield County. Any contract made in violation of this act shall not be a valid claim against Chesterfield County.

SECTION 5. All departments of the County Government shall make requisition to the County Board of Commissioners for all stationery, books, blanks and supplies and the board shall purchase and provide so much thereof as in its judgment is necessary and proper, and the board shall not approve any account or issue its voucher for any supplies, etc., purchased or ordered by any office or officers of the county. Nothing contained in this section shall be construed to authorize the Board of County Commissioners to make any disbursements in excess of the appropriation made herein.

SECTION 6. All purchases in excess of four hundred dollars of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment and parts, replacements and repairs therefor, and all commodities and supplies of any and every character for the use of the county, its departments, officers and agencies must be purchased by the Board of County Commissioners, upon sealed competitive bids or proposals, after publication of the invitations for bids or proposals therefor in a newspaper in Chesterfield County. All bids or proposals for the purchase of road building machinery shall be advertised in one or more newspapers published in the City of Columbia, S. C.

In advertising for bids the Board of County Commissioners shall prescribe specifications to be met. All bids or proposals must provide that sealed competitive bids or proposals will be publicly received by the Board of County Commissioners at a specific hour, on a named day, and that said sealed bids or proposals shall be then and there publicly opened and published. In all instances the lowest

bids or proposals meeting specifications must be accepted or all bids or proposals rejected. The Board of County Commissioners may, at its option and in lieu of advertising for sealed competitive bids, contract for the purchase of motor vehicles, trucks, tractors, road building and maintenance machinery and equipment, and parts, replacements therefor, through the Purchasing and Property Division of the State Budget and Control Board, or may buy surplus property from any agency of the State or Federal Government. The Board of County Commissioners is hereby authorized and empowered to contract by public bids or proposals, as herein provided, for the commodities and supplies required for the period of a fiscal year, or any part thereof. All of said bids or proposals with the printer's proof of the advertisement for the bids shall be preserved by the Clerk to the Board of County Commissioners as a permanent record in the office of the County Commissioners.

SECTION 7. The Board of County Commissioners may, in its discretion, waive the requirement that all claims be verified and, in lieu thereof, substitute an endorsement to be signed by the payee of the check issued on the claim whereby the payee certifies that the claim for which the check was issued was true and correct and has not been otherwise discharged.

SECTION 8. The County Treasurer and Clerk of Court are required to file quarterly statements in duplicate with the County Board of Commissioners, which shall show the amount of fees collected by each of them. In addition the Treasurer's report shall show the amount of cash on hand, the amount of cash in banks, the name of the banks in which deposited; *provided*, that no county warrant for salary shall be issued to the Clerk of Court until said statement is filed as herein directed, and the provisions of this section shall apply to the county peace officers. *Provided*, further, that a copy of the Treasurer's report shall be delivered by him to each member of the County Legislative Delegation and the Chairman of the County Sinking Fund Commission.

SECTION 9. All officers and employees of Chesterfield County are hereby expressly forbidden to contract to perform any work, or services, for the county, other than their regular employment, or to furnish any materials, or supplies, to the county, and any disbursement made in violation of the provisions of this section shall be unlawful, and any officer making any such contract or disburse-

ment, shall be liable to the county personally, and on his official bond, for and to the amount of any such contract or disbursement.

SECTION 10. The county auditor is directed to levy ten mills tax for the Chesterfield County Board of Education, the funds derived from such tax to be used for the operation of the County Board of Education, for the insurance of school buildings, and for the purchase or rental of textbooks for the public schools of Chesterfield County.

SECTION 11. The county auditor is directed to levy such millage as may be necessary for the payment of principal and interest on bonds or notes of Chesterfield County and on bonds of subdivisions of Chesterfield County which have heretofore been assumed by the county.

SECTION 12. The County Auditor shall have the power and authority to levy such millage as may be deemed necessary to meet the absolute needs of the county.

SECTION 13. The County Treasurer of Chesterfield County is hereby authorized and directed to mail to every taxpayer of Chesterfield County, on or before October first, next, a statement of the amount of the 1959 taxes of said taxpayer. The notice shall show the school district and township in which the property of the taxpayer is assessed.

Said statement shall include a notice that a penalty of one per cent will be added to said taxes on January 1, 1960, one per cent on February 1, 1960, and an additional one per cent on March 1, 1960, and an additional four per cent on April 1, 1960. The cost of the mailing of the notices shall be paid out of the ordinary county fund on the approval of the Board of County Commissioners. A second notice shall be mailed on or before April tenth.

An additional statement shall be included showing all levies in the taxpayer's particular School District.

SECTION 14. The Board of County Commissioners is hereby authorized and empowered to pay out of the county contingent fund all necessary costs and expenses incurred by the Tax Collector or the Forfeited Land Commission in connection with the seizure, sale and disposition of real or personal property sold under delinquent tax execution.

SECTION 15. No county gasoline or oil shall be sold to any person or used in any privately owned vehicle, except as otherwise herein provided.

SECTION 16. The Board of County Commissioners is authorized on the filing with it of an official certificate of the County Auditor that any taxpayer is entitled to a refund of taxes erroneously paid, to issue its voucher for the refund of the tax so erroneously paid. The certificate of the Auditor must be annexed to the voucher for the payment of the claim. Said tax refund shall be paid out of the general county fund.

SECTION 17. The deputy sheriff, magistrates and constables, and county game wardens, the State constables, the State Highway patrolmen, and all other State or County peace officers are hereby directed and required to report to the Sheriff of Chesterfield County, on or before the tenth day of the following month, a schedule or statement of all cases made by each of them before the Magistrates of Chesterfield County. The reports shall show the judgment and sentence imposed by the magistrate in each of such cases so reported and the money fines paid or collected from the defendant in each case. The Sheriff and the Treasurer shall compare the said reports of such law enforcement officers with the reports of the county magistrates to be filed monthly, and if there are any material or substantial discrepancies with respect to the monies collected and paid to the treasurer by the magistrates and the amounts of fines reported by said law enforcement officers, the County Treasurer shall refer the matter to the solicitor for investigation. The County Treasurer is directed and required to refuse the payment of any voucher for the salary of any county magistrate or law enforcement officer until the reports have been made to the Sheriff and the Treasurer.

SECTION 18. The Board of County Commissioners is hereby directed and required to keep a separate itemized account of all expenditures and disbursements made for each office and department of the County Government, and shall set out the same in the monthly report required by the provisions of Section 4 of this act.

SECTION 19. The Board of Trustees of each school district of Chesterfield County shall, within thirty days after the approval of the official budget of such school district by the County Board of Education, have the budget published at least once in a newspaper published

in the said school district, or in a newspaper published at the county seat, if there be no newspaper published in the particular school district; *provided*, that the County Board of Education shall adopt, prescribe and require the use of a uniform, standard and comprehensive form of school budget.

SECTION 20. There is hereby appropriated for clerical help to probate judge the sum of two thousand one hundred dollars. This appropriation is on condition that the probate judge reimburse the county out of the fees received by him for the entire sum of two thousand one hundred dollars, to be paid to the county treasurer in monthly installments of one hundred seventy-five dollars each, which shall begin July 1, 1959, which shall be placed in the general fund of the county. This provision shall be applicable to a deputy probate judge if such officer be appointed.

SECTION 21. The sum of four hundred dollars is hereby appropriated for additional clerical help for the Auditor's office if the same be necessary to complete the 1959 tax books and the sum of four hundred dollars is hereby appropriated for additional clerical help for the Treasurer's office if the same be necessary to prepare and send out 1959 tax notices. This money shall be expended only with the written approval of a majority of the Legislative Delegation.

SECTION 22. Of the amounts appropriated as salaries for county law enforcement officers in Chesterfield County the sum of five dollars per day for each such officer is hereby designated as subsistence for each day of active law enforcement duty.

SECTION 23. In the event any tax increases are proposed for any school district of Chesterfield County, the County Legislative Delegation is hereby authorized to direct the school board to hold an advisory referendum on the question of whether or not such taxes should be increased. The cost of such referendum shall be paid by the school district involved.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R42, H1100)

No. 384**An Act To Provide For The Hunting of Quail And Rabbits In Clarendon County And Darlington County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Season for hunting quail and rabbits in Clarendon and Darlington Counties.—The 1958-1959 season for hunting quail and rabbits in Clarendon County and Darlington County shall be from Thanksgiving Day until March first. Anyone hunting quail or rabbits at any other time shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one hundred dollars or imprisoned for not more than thirty days in the discretion of the court.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R129, H1243)

No. 385**A Joint Resolution To Create A Courthouse Renovating And Building Committee For Clarendon County, To Provide For The Appointment Of Members And Outline The Duties And Authority Of The Committee.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Courthouse Renovating and Building Committee for Clarendon County, created—members.—There is hereby created the Courthouse Renovating and Building Committee for Clarendon County which shall be composed of the following who are hereby appointed to membership on the committee :

G. Ray Coker, Chairman
John G. Dinkins
Charles N. Plowden

SECTION 2. Duties.—The committee shall make a complete study of the needs of the county for renovating and enlarging the present

courthouse structure so that it will adequately meet the needs of the county with economy and efficiency. The committee shall formulate plans with estimates of costs and time necessary to complete construction. It shall make a complete survey of building needs with space requirements of the various departments and agencies of the county government which will occupy the building after the renovation. The committee shall consult with such county officials and citizens of Clarendon County as may be necessary or desirable in order to present to the county a building which will serve the people in an ever expanding economy for years to come without the need of expensive extensions or additions.

SECTION 3. Meetings and report.—The committee shall meet upon the call of the chairman or a majority of the members. The chairman shall notify the Legislative Delegation for Clarendon County of the time and place of the first meeting and the delegation shall sit with the committee at its first meeting in order to discuss with the members the needs of the county for complete renovation of the present courthouse, and any work which may have been planned in connection therewith, and to convey to the committee any ideas and suggestions which the delegation may have. Upon the completion of the work of the committee a complete report shall be made to the Legislative Delegation of the county, including such recommendations with plans as the committee shall deem proper. In making such report full consideration shall be given not only to all instructions contained in this act, but any other ideas which the committee may believe desirable in furthering the needs of the county in this matter. Such report of the committee shall be advisory.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R546, H1598)

No 336

An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For Clarendon County For The Year Beginning July 1, 1959; To Provide For The Expenditure Of Such Taxes And Of Other County Revenues Collected During The Fiscal Year Ending June 30, 1960; To Authorize The Officers Of The County To Borrow Money In Anticipation Of Collection Of County And School District Taxes For The Year 1959 And Previous Years; To Repeal Act No. 812 Of The Acts Of 1954; To Provide For The Transfer Of Unexpended Monies To The General Fund; And Otherwise Relating To The Affairs Of The County And The School Districts Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There shall be a levy upon the taxable property of Clarendon County for the purposes hereinafter specified as follows:

School District No. 1: A levy of forty-five mills tax on all taxable property in the district.

School District No. 2: A levy of fifty mills tax on all taxable property in the district; *provided*, that ten mills of said levy shall be specially reserved for the retirement of the indebtedness owed by this district to the Sinking Fund Commission.

School District No. 3: A levy of seventy-six mills tax on all taxable property in the district; *provided*, that twenty-one mills of said levy shall be specially reserved for the retirement of the bonded and other indebtedness.

School District No. S-2: A levy of five mills on all taxable property in the district.

(a) Auditor's Office:

Auditor	\$ 1,500.00
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Provided, this amount shall be varied if necessary, to provide a total salary to the Auditor from state and county of \$4,600.00.

Clerk to Auditor	2,160.00
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Extra Clerical Help	400.00
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Total	\$ 4,060.00
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(b) Clerk of Court's Office & Probate Judge:

Clerk of Court	\$ 4,600.00
Services as Probate Judge	800.00
Deputy Clerk of Court & Probate Judge	2,400.00
Clerk	2,280.00
Clerk	2,000.00
Clerk—Probate Judge's Office	2,000.00
Record Books, Repairs, Supplies, Furniture, Equipment and Lighting	500.00

Total\$ 14,580.00

(c) Coroner's Office:

Coroner	\$ 1,500.00
Coroner, for telephone	60.00
Travel Allowance	120.00
Coroner's Jurors, \$2.00 each to be paid out on warrants of the Coroner	400.00
Expenses of Post Mortems, Inquests and Lunacy	500.00

Total\$ 2,580.00

(d) Sheriff's Office:

Sheriff	\$ 4,600.00
Sheriff, Travel Allowance	900.00
Sheriff, Telephone	60.00
Clerk	2,160.00
Chief Deputy Sheriff	4,080.00
Chief Deputy Sheriff, travel	900.00
Chief Deputy Sheriff, telephone	60.00
Second Deputy Sheriff	3,780.00
Second Deputy Sheriff, travel	900.00
Second Deputy Sheriff, telephone	60.00
Third Deputy Sheriff	3,780.00
Third Deputy Sheriff, travel	900.00
Third Deputy Sheriff, telephone	60.00
Travel outside county, to be paid on warrants signed by Sheriff	200.00
Fingerprint Supplies, Gun and Ammunition and other necessary police supplies	250.00
Secret Service Fund ..	200.00
Uniforms, three Deputies, to be expended on claims with invoices attached	450.00

Automobiles and Communication System, Maintenance, Equipment and Repairs	1,800.00
Jailor	1,200.00
Jail Expenses and Supplies, including dieting of prisoners at \$1.00 per day	4,000.00
Trading two automobiles (upon order of Sheriff), if so much be necessary	3,000.00
Total	\$ 33,340.00
(e) Superintendent of Education's Office:	
School District No. 1—for operation and maintenance of public school system for nine months, if so much be necessary	\$ 40,000.00
School District No. 2—for operation and maintenance of public school system for nine months, if so much be necessary	83,500.00
School District No. 3—for operation and maintenance of public school system for nine months, if so much be necessary	33,500.00
Superintendent of Education (to be paid to County Board of Education)	590.00
<i>Provided</i> , this amount shall be varied if necessary to provide a total salary to the Superintendent of Education from state and county of \$4,600.00	
Travel Allowance	900 00
Clerk to Board of Education	2,160 00
County Attendance Teacher, travel	1,080 00
School Lunch Supervisor, travel	420.00
Attendance Teacher for books and supplies for needy children	480.00
Distributive Education:	
Travel	150.00
Salary	505.00
Transportation charges, storage on commodities, if so much be necessary, to be expended on the order of the County Board of Education	1,400.00
Bus Transportation Safety Officer	3,330.00
Travel	900.00
Total	\$168,915 00

(f) Supervisor's Office:	
Supervisor	\$ 4,600.00
Clerk	2,160.00
Roads, bridges and convicts	45,000.00
R.F.D. Routes, for use exclusively upon neighborhood roads and other byroads traversed by R.F.D.	700.00
Repairs to Machinery	6,500.00
Expenses and supplies for making concrete pipe	6,000.00
Total	\$ 64,960.00
(g) Tax Collector's Office:	
Tax Collector	\$ 4,600.00
Travel Allowance	900.00
Clerk	2,160.00
Total	\$ 7,660.00
(h) Treasurer's Office:	
Treasurer	\$ 1,500.00
<i>Provided</i> , this amount shall be varied if necessary, to provide a total salary to the Treasurer from state and county of \$4,600.00.	
For additional services rendered by Treasurer's Office	
Office	400.00
Clerk	2,160.00
Extra Clerical Help	340.00
Total	\$ 4,400.00
(i) Magistrates:	
Magistrate—Manning	\$ 2,415.00
Telephone	144.00
Magistrate—Summerton	2,150.00
Rent and Telephone	144.00
Magistrate—Salem	1,790.00
Rent and Telephone	144.00
Purchase of chairs	50.00
Magistrate—Paxville	1,265.00
Rent and Telephone	144.00
Magistrates' Jurors in criminal cases only \$2.00 per day and stenographer for trials to be expended on warrants of the magistrates	100.00

(The above salaries in all of the above sections shall be in lieu of all fees and commissions provided for county officers, except those provided by law for Magistrates in civil cases.)

Total	\$ 8,346.00
(j) Courthouse:	
Public buildings, water, light, telephones, including telephone in Supervisor's residence, also insurance on courthouse and jail	\$ 5,000.00
Printing, postage and stationery	3,000.00
Bond Premiums	530.00
Workmen's Compensation Insurance	1,000.00
S. C. Retirement—County Officers	3,000.00
Social Security	2,000.00
Jurors and Witnesses	4,000.00
<i>Provided</i> , Jurors shall be paid \$6.00 per day.	
Courthouse Janitor	900.00
Assistant Courthouse Janitor	460.00
Courthouse, Jail, Hospital and Health Center grounds, \$100.00 each to direct purchase of shrubbery only	400.00
Total	\$ 20,290.00
(k) County Health and Welfare Work:	
Health Department, if so much be necessary	\$ 6,443.00
Vital Statistics	400.00
T. B. Association Emergency Services	300.00
Chest Clinic	720.00
County Welfare Department:	
Charity Hospitalization	10,000.00
Emergency Fund	500.00
Travel, Child Welfare Worker	600.00
Charity Certification	1,020.00
Clarendon Memorial Hospital	25,000.00
Drugs for T. B. Patients	750.00
Total	\$ 45,733.00
(l) County Boards:	
Clarendon Memorial Hospital Board	\$ 600.00
County Commissioners, two	720.00

Board of Education (per diem)	720.00
County Board of Education Fund	200.00
Board of Assessors, nine	1,800.00
Board of County Welfare (per diem)	252.00
County Attorney	200.00
Total	\$ 4,492.00
(m) Farm and Home Demonstration Agent :	
Office Expense	\$ 200.00
County Agent, Salary	1,300.00
1st Assistant County Agent, Salary	500.00
2nd Assistant County Agent, Salary	500.00
Clerk	500.00
Home Demonstration :	
Home Demonstration Agent, Salary	340.00
Assistant Home Demonstration Agent, Salary	340.00
County short course	50.00
Supplies	50.00
Clerk, part-time, Home Demonstration	600.00
Boys' 4-H Club Work	200.00
Girls' 4-H Club Work and Women's Work	150.00
Negro 4-H Club Work	100.00
Home Demonstration Agent, Salary	1,928.00
Office Expenses, Negro County Agent	200.00
Demonstration Agent, office supplies, 4-H Girls	100.00
Total	\$ 7,058.00
(n) Miscellaneous :	
Miscellaneous Contingent Fund	\$ 3,500.00
Manning Public Library, Countywide use	1,200.00
National Guard Co., Maintenance Fund	500.00
Chief Justice Supreme Court, Office Expense	500.00
Circuit Judge, Secretarial Assistance, to be paid directly to Secretary	500.00
Game Warden, Travel	900.00
Game Wardens, Travel, 4 @ \$360.00 each	1,440.00
Patrolman, Telephone	360.00
Soil Conservation	1,000.00

To be spent on projects recommended by Clarendon Soil Conservation District and approved by the Delegation.

Forest Fire Warden	1,500.00
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Total	\$ 11,400.00
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GRAND TOTAL	\$397,814.00
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Less Estimated Revenue other than Property Taxes:

Income Tax	\$ 40,000.00
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Gasoline Tax	66,000.00
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Alcohol Liquor Tax	21,000.00
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Beer and Wine Tax	6,500.00
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Bank Tax	1,000.00
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Insurance Licenses	8,000.00
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Road Tax	8,000.00
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Fines, Licenses and Fees:

Auditor	100.00
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Clerk of Court	15,000.00
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Tax Collector	7,500.00
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Sheriff	800.00
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Magistrates	35,000.00
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Miscellaneous	10,000.00
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Total	\$218,900.00
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Balance out of general fund	\$178,914.00
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SECTION 2. All moneys which may hereafter come into the hands of the treasurer whether the same be from the tax levied herein or from other sources shall be deposited in the general fund of the county for the payment of the sums appropriated herein; *provided*, that the tax levied in School District No. 2 and School District No. 3 for the retirement of debts or bonds shall be kept in a separate fund.

SECTION 3. Expenditures from Item (k), Charity Hospitalization appropriations, shall be made by the county treasurer upon orders or warrants in such forms as may be prescribed by him, issued and signed in behalf of the county board of public welfare, for charity hospitalization and contributions toward the funeral expenses of such needy residents of the county whose financial circumstances and the

ability of whose relatives to pay the same have been fully investigated and determined by the board of public welfare.

SECTION 4. All appropriations herein made are subject to the right and authority of the Clarendon County Delegation to change, alter, increase or deduct therefrom at any time without notice, when in its judgment such change, alteration, increase or deduction is necessary for the best interest of the county or to conform with the revenue expected during the life of this act. This act is intended and is construed to make appropriations for the operation and activities of Clarendon County for the period beginning July 1, 1959, and ending June 30, 1960.

Balances from appropriations in former years, unexpended on August 1, 1959, shall terminate and end as of that date. The supervisor shall not spend or contract to spend in excess of any amount appropriated for any item, and he shall keep accurate records and books of account of all expenditures and contracts for expenditures in accordance with the classification and items as they appear in this act. The supervisor and treasurer are hereby authorized to borrow money in anticipation of collection of revenues to be expended under this act, not to exceed twenty thousand dollars for ordinary county purposes; and for any sum or sums so borrowed and interest thereon, not to exceed four per cent per annum, the officers shall issue the promissory note or notes of the county therefor and as a security for the payment thereof pledge the aforementioned revenues, and former years (uncollected) property taxes and any and all other county revenues, and the full faith and credit of the county.

SECTION 5. The County Treasurer of Clarendon County, upon the unanimous written request of the school trustees of any school district in the county, endorsed by the superintendent of education of the county and approved by a majority of the legislative delegation, be, and he is hereby, authorized and empowered, in anticipation of taxes for the year 1959 and also in anticipation of the collection of uncollected taxes for prior years, to borrow for ordinary school purposes in such school district an amount not exceeding eighty per cent of the amount that will be raised by the tax levy for the year 1959 and the amount due on account of uncollected taxes, at a rate of interest not to exceed four per cent, and issue the promissory note or other obligation of the county therefor, and as security for the payment of the loan or loans to pledge the taxes to be collected for

such school district for the year; *provided*, that the proceeds arising from the authority therein given shall be used solely for the payment of ordinary school expenses in keeping schools open in the respective school districts in the county until the schools can realize from the collection of taxes.

SECTION 6. Any note or obligation given for an amount exceeding the total authorization herein shall be null and void unless authorized in writing by a majority of the Clarendon County Delegation in the General Assembly. No county officer charged with disbursing the funds herein provided shall expend or contract to spend under any general item any sum greater than the amount for each general item being appropriated, without the written consent of a majority of the members of the county delegation to the General Assembly. Any violation of the provisions herein is hereby declared a malfeasance in office and such officer shall be subject to removal by the Governor upon the recommendation of a majority of the delegation. He shall be liable on his official bond for all such sums expended or contracted to be spent in excess of the appropriation without first getting the written consent of a majority of the delegation as hereinabove provided.

SECTION 7. All purchases of property or supplies of any kind ordinarily purchased within the county, for the use of the county of the value of two hundred dollars or more, shall be made only after ten days' notice inviting bids, the notice being posted on the bulletin board in front of the courthouse door, and all bids, received pursuant to such notice, shall be considered and acted upon by the board of county commissioners in open meeting. All printing, postage and stationery shall be first approved by the county board of commissioners before purchases or obligations are made.

SECTION 8. The county treasurer is hereby charged with the additional duty of keeping a record of all disbursements in accordance with the classification and items of the appropriations herein made; and the county supervisor shall enter upon each check or warrant drawn by him the name of the fund or appropriation against which it is drawn and by such entry the treasurer shall charge the expenditure upon his records.

SECTION 9. The county treasurer shall set up and keep sufficient books and records, in addition to such now kept or required

by law, to fully comply with the foregoing section; and he shall refuse payment of any check or warrant in excess of the appropriation against which it is drawn; and not later than the tenth day of each calendar month thereafter he shall prepare a statement of the total amount paid out upon the various appropriation items, except salaries and other fixed lump sum appropriations, copies of which statement he shall deliver or mail to the supervisor, each member of the county board of commissioners and to each member of the county legislative delegation, and such statement shall include a statement of the cash balance of ordinary county funds in hand and the amounts invested stated separately.

SECTION 10. In the event that any appropriation item is exhausted before the end of the fiscal year covered by this act, and in the opinion of the county board or county legislative delegation, additional funds are necessary for such purposes, the necessity and the grounds therefor may be presented to the county legislative delegation and a majority of the members thereof may authorize additional expenditures, and the written direction of such majority will authorize the county treasurer to pay such excess amounts out of any available funds in his hand.

SECTION 11. Whenever it appears to the county board that a purchaser at a tax sale received nothing for his bid, because of double entries or other errors in the county records, they may refund the amount paid on account of such bids by approving a claim therefor against the county which may be paid from collections from forfeited lands or from the appropriation herein for contingent expenses, but nothing herein shall be construed as a warrant or representation by the county of the validity of any title acquired at tax sale now or hereafter.

SECTION 12. An audit of the office and records or any part thereof of the county may be had at any time in the fiscal year 1959-1960 by the county legislative delegation or a majority thereof, and the expenses therefor paid on their written order to the supervisor and treasurer from any available funds in the hands of the latter.

SECTION 13. The auditor and treasurer of the county shall complete the necessary work in their respective offices in order to open the treasurer's books for the collection of the 1959 state and county taxes on September 1, 1959 and the collection of the taxes shall begin on that date.

SECTION 14. No person, firm or corporation (except recipients from charity appropriation and except witnesses and jurors paid by the county) shall be paid any monies herein appropriated unless he or it shall first pay in full any and all outstanding tax executions against him or it or his or its property, *provided*, that such tax execution may be in monthly installments satisfactory to the tax collector. The board of county commissioners shall be responsible upon their respective official bonds for any violation hereof as for any other failure in the performance of their duties.

SECTION 15. The Towns of Manning, Summerton, Turbeville and Paxville may use the county jail for the confinement of their prisoners but shall be required to pay to the county the sum of one dollar per prisoner per day, which sum shall be remitted to the county board of commissioners monthly by the Towns of Manning, Summerton, Turbeville and Paxville, together with the statement of the jailor of the names of the prisoners and the days each was confined.

SECTION 16. The county board of education shall appoint a qualified auditor annually for each of the school districts in Clarendon County, which audit shall be filed with the clerk of court. The trustees of each district shall make an agreement with the auditor so appointed as to the cost prior to commencement of the work and should they fail to agree then the county board shall fix his compensation and in this event the county delegation may provide by written order for the payment of the same.

SECTION 17. The bus transportation safety officer shall be responsible for the enforcement of the safety laws for the operation of the school buses, and such other duties as the county board of education may direct.

SECTION 18. The magistrates' constables shall have the same powers and duties as deputy sheriffs and shall be appointed by the respective magistrates.

SECTION 19. All appropriations herein for the operation of the public school system, shall cease and become inoperative for the time that any pupil or pupils shall by order of any court attend a school other than that which he or she is now attending or may be assigned by local board of trustees or other governing body of such school.

This provision shall not in any way affect the operation of any school other than the school affected by such court order.

SECTION 20. The forest fire warden provided herein shall be appointed by the Governor upon the written recommendation of a majority of the Clarendon County Forestry Board and shall discharge such duties as said board shall impose upon him from October fifteenth each year to the following March fifteenth. The appointment hereunder shall be for a term of two years. The forest fire warden provided for herein may be removed by the Governor upon the request of a majority of the Clarendon County Forestry Board to that effect.

SECTION 21. Act No. 812 of the Acts of 1954 is hereby repealed and the balance in the account provided by this act and now in the treasurer's hands is transferred to the county general fund.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R4, H1021)

No. 387

An Act To Validate And Define The Tenor Of Three Hundred Thousand Dollars Of General Obligation Bonds Of Colleton County, Issued Pursuant To Act No. 1061 Of 1958.

Whereas, by an Act entitled "An Act To Authorize Colleton County To Issue And Sell Bonds Of Said County For The Purpose Of Constructing And Furnishing An Addition To The Colleton County Hospital And To Provide For The Payment Thereof.", approved the 7th day of April, 1958, (hereafter referred to as Act No. 1061) authorization was given for the issuance of three hundred thousand dollars of general obligation bonds of Colleton County; and

Whereas, in and by such act it was provided that the maturity of the bonds should be so arranged that such bonds and certain other

outstanding bonds of Colleton County, issued for hospital purposes, might be retired with the proceeds of a five mill tax levy; and

Whereas, such provision has caused question to be raised as to whether the reference to the five mill tax levy limited the otherwise general nature of the obligation authorized by said act; and

Whereas, it was the legislative intent that such bonds be general obligation bonds, payable from ad valorem taxes upon all taxable property in Colleton County, without limitation as to rate or amount, and the reference to the five mill levy was for guidance in establishing the maturity schedule of the bonds; and

Whereas, acting in accordance with the provisions of such act the County Board of Commissioners of Colleton County proposes to issue three hundred thousand dollars of bonds to be dated the first day of July, 1958, to mature in annual series or instalments as follows: fifteen thousand dollars on the first of July in each of the years 1963 and 1964; twenty thousand dollars on the first of July in each of the years 1965 to 1970, inclusive; and twenty-five thousand dollars on the first of July in each of the years 1971 to 1976, inclusive; and to bear interest at the rate of three and one-quarter per cent per annum, payable semiannually on the first of January and the first of July of each year, beginning January 1, 1959; and

Whereas, such bonds have a satisfactory maturity schedule and one within the contemplation of Act No. 1061, by reason of which the General Assembly is minded to reaffirm that such bonds are general and binding obligations of Colleton County. Now, therefore, Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bond issue confirmed—payment.—That an issue of three hundred thousand dollars of bonds of Colleton County, dated July 1, 1958, maturing in annual series or instalments as follows: fifteen thousand dollars on the first of July in each of the years 1963 and 1964; twenty thousand dollars on the first of July in each of the years 1965 to 1970, inclusive; and twenty-five thousand dollars on the first of July in each of the years 1971 to 1976, inclusive, bearing interest at the rate of three and one-quarter per cent per annum, payable semiannually on the first of January and the first of July of each year, beginning January 1, 1959, of which bonds those maturing subsequent to July 1, 1964, are subject to redemption on July 1, 1964, or any subsequent interest payment date, shall be, upon their issuance, valid and

binding obligations of Colleton County, for whose payment there is pledged the full faith and credit of Colleton County, and for which there shall be levied upon all taxable property in Colleton County, without limitation as to rate or amount, a tax sufficient to meet the payment of principal and interest of the bonds, as the same respectively fall due.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of January, 1959.

(R130, S98)

No. 388

A Joint Resolution To Create A Committee To Investigate And Study The Need For Rural Fire Protection In Colleton County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Colleton County—committee to study need for rural fire protection, created—recommendations.—There is hereby created in Colleton County a committee to investigate and study the need for rural fire protection in the county. After considering the various plans and systems in operation in other counties of South Carolina, the committee shall make its recommendations to the legislative delegation of the county, not later than January 1, 1960. Its recommendations should embrace the following findings: Whether a countywide system of rural fire protection is advisable; what system is preferred by the residents of the rural areas of Colleton County, to be ascertained by consulting with farm organizations and individuals interested; how such a system should be financed; to what extent volunteer assistance could be utilized in fire fighting and how such volunteer service could be best mobilized; to what extent cooperation can be obtained from the municipalities in Colleton County; and any other questions bearing directly or indirectly upon a solution of this problem.

SECTION 2. Members—expenses.—The committee shall be composed of five members to be appointed by the Governor, upon the

recommendation of the Colleton County Legislative Delegation. The members shall serve without compensation but shall be allowed a per diem of ten dollars and mileage at the rate of seven cents per mile while on official business. All such expenses shall be paid out of the contingent fund of the county, upon the approval of the Legislative Delegation. *Provided*, that the costs and expenses of said study shall not exceed five hundred dollars.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R421, H1521)

No. 389

An Act To Provide For The Levy Of Taxes For County And School Purposes For Colleton County For The Year Beginning January 1, 1959, And The Expenditure Thereof During The Fiscal Year July 1, 1959 to June 30, 1960, And Pertaining To The Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax sufficient to pay appropriations hereinafter made for the fiscal year 1959-1960 is hereby levied upon all the taxable property in Colleton County for county and school purposes for the calendar year commencing January 1, 1959, for the amounts and purposes hereinafter set forth; *provided*, however, that the tax shall not exceed the present forty-six mill levy.

Item 1.

- | | |
|---|--------------|
| (a) Roads, bridges, convicts' maintenance, gang, equipment and material, purchase of concrete pipe, repairs, parts, tires and machinery | \$ 65,000.00 |
| Supplement to employees salaries | 2,500.00 |
| (b) Second payment, new road machinery | 10,000.00 |
| (c) Interest on machinery notes | 1,200.00 |
| (d) Repairs and maintenance on public landings | 1,250.00 |

Total, Item 1	\$ 79,950.00
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Item 2. Salaries, mileage and expenses:

(a) Clerk of Court	\$ 4,800.00
Deputy Clerk of Court	2,310.00
Clerical Assistance	2,610.00
Extra Clerical Help	930.00
	10,650.00
(b) Sheriff	5,200.00
Deputies, three at \$3,600.00 each	10,800.00
Clerk to Sheriff	2,460.00
Expenses for Sheriff and all Deputies for actual travel while conveying prisoners and serving legal process	7,200.00
Expense of Sheriff and Deputies on official business other than above	300.00
	25,960.00
(c) Treasurer (County's portion)	3,146.25
Clerk to Treasurer	2,460.00
For postage, materials and expenses of Treasurer in sending notices to taxpayers	650.00
Extra Clerical Help for Treasurer	1,230.00
	7,486.25
(d) Auditor, salary and travel (County's portion)	3,146.25
Clerk to Auditor	2,460.00
Extra Clerical Help to Auditor	1,230.00
	6,836.25
(e) Clerk to Superintendent of Education	2,460.00
Supplement to salary of Superintendent of Education	906.00
Travel allowance for Superintendent of Education	1,000.00
	4,366.00
(f) Delinquent Tax Collector, salary	2,600.00
Delinquent Tax Collector, Travel	1,200.00
Clerk to Delinquent Tax Collector	1,800.00
	5,600.00

Provided, the Delinquent Tax Collector shall also receive one dollar for each tax execution collected by him, payable by the County Treasurer from tax execution costs collected by the Delinquent Tax Collector.

(g) Coroner	1,091.20
Travel allowance	600.00
	1,691.20
(h) Supervisor	4,800.00
Expenses of Supervisor for travel	1,200.00
Contingent Fund	2,000.00
Two County Commissioners at \$61.60 per month each	1,478.40
Travel for two County commissioners	300.00
For Clerk to Supervisor	1,950.00
Extra Clerical Services	1,650.00
	13,378.40
(i) Attorney for County	531.30
	531.30
(j) Judge of Probate	3,336.00
Deputy Judge of Probate or Clerk	2,610.00
For use of Probate Judge in child placing work to give temporary relief pending children being permanently placed, to be disbursed on his claims	300.00
For hearing divorce cases	264.00
Extra Clerical Help	150.00
	6,660.00
(k) Expert to Grand Jury	76.00
	76.00
(l) Magistrates, seven at \$456.00 each	3,192.00
Expense accounts to be paid in 4 equal quarterly installments without statements of \$144.00 each	1,008.00
One at Walterboro	2,422.00

One at Green Pond	900.00
Expense account to be paid in 4 equal quarterly installments without statements of \$36.00	144.00
	7,666.00
(m) Constables, five at \$379.00	1,895.00
One at Walterboro	1,978.50
One at Warren Township	625.00
One at Canadys	515.00
One at Sheridan and Glover Townships	515.00
Expenses for Constables for conveying prisoners by the most practicable routes of travel at the rate of seven cents per mile each way, and no constructive mileage to be charged	375.00
	5,903.50
(n) County Boards:	
Board of Equalization, to be expended on voucher of County Auditor	828.00
Board of Registration	1,366.00
	2,194.00
(o) Janitors (4) for all public buildings including library, to be employed, work assigned and salaries fixed by county supervisor	4,500.00
	4,500.00
Total, Item 2	\$103,198.90
Item 3. Jail Expenses, including dieting of prisoners, fuel, etc.	\$ 5,800.00
Jailer, extra compensation to be paid in monthly installments	759.00
<i>Provided</i> , that the jailer shall charge municipalities two dollars per day for dieting city prisoners, twenty-five cents of such fee to be retained by the jailer in addition to his above appropriation for dieting prisoners.	
Total, Item 3	\$ 6,559.00

Item 4.	Court Expenses, Jurors and Witnesses	\$ 5,000.00
	Civil and Criminal Court, Judge's Salary	3,600.00
	Court Reporter, upon Court Order	600.00
	<i>Provided</i> , Grand and Petit Jurors and Bailiffs shall be paid five dollars per day for every day in attendance upon court and mileage as provided by law	
	Total, Item 4	\$ 9,200.00
Item 5.	Emergency Assistance Fund, to be expended by County Department of Public Welfare under rules and regulations made by the County Board of Public Welfare	\$ 3,000.00
	To be paid by Supervisor as needed by proper voucher of Department of Public Welfare	
	<i>Provided</i> , not exceeding fifty dollars shall be paid for each pauper funeral.	
	Total, Item 5	\$ 3,000.00
Item 6.	Post Mortems, Inquests and Lunacies	\$ 1,100.00
	Total, Item 6	\$ 1,100.00
Item 7.	Bond Premiums for public officials	\$ 1,500.00
	Total, Item 7	\$ 1,500.00
Item 8.	Public Buildings, including water, fuel, lights and insurance	\$ 9,000.00
	For caretaker for Courthouse and Jail grounds	132.00
	<i>Provided</i> , the Supervisor shall furnish fertilizer and labor for maintaining shrubbery and flowers.	
	<i>Provided</i> , further, that the Supervisor may use the rents to be collected for the use of public buildings to supplement the funds herein appropriated for public buildings.	
	Maintenance Man	2,400.00
	Total, Item 8	\$ 11,532.00

Item 9.

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|---|-------------|
| (a) Printing, postage, books, stationery, including Magistrates' blanks | \$ 6,500.00 |
| (b) Publication of Supervisor's Reports | 400.00 |
| (c) For publishing notices of tax sales, if so much be necessary | 300.00 |
- Provided*, the Delinquent Tax Collector shall add to the cost of each tax sale the cost of publication and collect the same from each tax sale for the General Fund of the County.

Total, Item 9	\$ 7,200.00
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Item 10. Health:

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|---|--------------|
| (a) Vital Statistics | \$ 480.00 |
| (b) County Health Department (including rabies control \$500.00), but not including Health Officer's salary | \$ 14,073.00 |
| Less amount of reserve in bank | 1,040.00 |

	13,033.00
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Provided, the above amount shall be expended under a budget prepared by the Health Department and approved by the delegation, and shall be paid in twelve equal monthly installments upon voucher of County Health Department.

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| (c) Colleton T. B. Association, upon voucher signed by president and executive secretary of the association for T. B. Patients | 500.00 |
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Total, Item 10	\$ 14,013.00
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Item 11. Club Work and Demonstration Expenses:

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| (a) Boys' 4-H Club activities, including camp and supplies for county agent's office | \$ 400.00 |
| (b) Women's and girls' short courses, Winthrop trip and prizes for women | 300.00 |
| (c) Miscellaneous for Home Demonstration Agent's office | 150.00 |
| (d) Supplement, Farm Agent's salary | 528.00 |
| (e) Supplement, Assistant Farm Agent's salary | 300.00 |

(f) Supplement, Farm Agent's Stenographer, salary	396.00
(g) Supplement, Home Agent's Stenographer, salary	198.00
(h) Future Farmers of America	50.00
(i) For prizes, Livestock Show at Walterboro, to be expended by Colleton County FFA Federation	500.00
(j) 4-H Livestock Show	250.00
(k) For Negro Farm and Home Demonstration Work and for 4-H activities, to be expended under direction of County Agent	2,472.00
(l) Telephone and extension—Home Agent's office	108.00
(m) Telephone—Negro Agent's office	123.00
Total, Item 11	\$ 5,775.00
Item 12. Workmen's Compensation, Retirement and Social Security:	
(a) Workmen's Compensation Insurance	\$ 2,300.00
(b) Employer's portion, Retirement of county employees, current year	5,800.00
(c) Employer's portion, Social Security on county employees for period July 1, 1959 to June 30, 1960	3,700.00
Total, Item 12	\$ 11,800.00
Item 13. Tax Refunds:	
J. A. Brabham	\$ 14.40
W. H. Breland	18.96
Berkley Wood	6.07
Keith Kinard	18.72
Keith Kinard	13.43
Fred Simmons	14.56
Warren M. Stuck	3.00
D. M. Smith	9.00
M. B. Hiott	12.00
Miss Jessie Fraser	7.84
Clarence Fender	9.00
Sam P. Redding	.84
Sam Green	5.04
R. S. Nixon	8.20

Norman E. Drawdy	5.00
H. & L. Brown	3.36
Heber Polk	7.84
G. R. Youmans	27.00
Total, Item 13	\$ 184.26
Item 14. Colleton County Memorial Library:	
Salaries:	
Chief Librarian	\$ 3,630.00
Assistant	2,200.00
Assistant	2,200.00
Part-time assistant	550.00
Part-time typist	360.00
Books, Binding, Periodicals	3,000.00
Bookmobile, Gas, Oil, Tires, Repairs	750.00
Supplies and Equipment	360.00
Conference and Workshop Expenses	100.00
	13,150.00
Less Expected Revenue:	
City Appropriation	900.00
State Aid to Library	1,500.00
	2,400.00
Total, Item 14	\$ 10,750.00
Item 15. Colleton County Development Board, provided, that all balances as of June 30, 1959 be carried forward to the credit of the board	\$ 7,500.00
Total, Item 15	\$ 7,500.00
Item 16. Miscellaneous:	
(a) County Civil Defense to be expended upon vou- cher of Chairman Colleton County Civil Defense	\$ 300.00
(b) Annual Audit	506.00
(c) Company Maintenance Fund, National Guard Unit	750.00
(d) Supplemental Salary, Director of Public Welfare	396.00
(e) Recording Books, Probate Judge	110.00
(f) Filing Cabinet, Probate Judge	125.00

(g) Radio Maintenance for Sheriff's Office	350.00
(h) Secretarial assistance to the Judge of the Fourteenth Circuit, without voucher	300.00
Total, Item 16	\$ 2,837.00
Total, County	\$276,399.16
Less Estimated Revenue, other than from property taxes:	
Gasoline Tax	\$108,000.00
Commutation Road Tax	5,000.00
Fines, Licenses, Fees	37,000.00
State Insurance Tax	10,000.00
Receipts from Beer, Wine and Alcoholic Beverages	25,000.00
Bank Tax	1,500.00
Portion of Income Tax from State	32,000.00
From County Reserve Fund	35,000.00
Estimated Transfer of Delinquent Taxes per Section 3, paragraph 2	15,000.00
Total Estimated Revenue	\$268,500.00
Amount to be raised by property taxation for general purposes	\$ 7,899.16
Item 17. Schools	
County's portion of support of public schools, to be expended by County Superintendent of Education	\$389,304.00
Less State M & O and Supervision	82,610.00
Less Federal Aid	32,000.00
Net appropriation to be raised by property tax for schools (subject to Section 12 below)	\$274,694.00
GRAND TOTAL	\$282,593.16

SECTION 2. The county treasurer, after applying all current cash revenues, is hereby authorized and empowered to pay from the special reserve or surplus fund any items of the appropriations made in Section 1 hereof which may be expended before the collection of taxes

for the year 1959, and before other current revenues shall accrue in sufficient amount to pay such appropriations; but the county treasurer, when taxes are collected and current revenues are received sufficient for such purposes, shall reimburse the special reserve or surplus fund for any monies expended therefrom for the purpose of paying such appropriations.

SECTION 3. The county auditor shall determine the amount of tax levy necessary to pay the appropriations hereinabove made and for debt service and shall use same in preparing the tax books for Colleton County; *provided*, however, that the tax for general county and school purposes shall not exceed the present forty-six mill levy as provided in Section 1 of this act.

All provisions of law requiring monies derived from the collection of delinquent taxes to be paid into the Special Reserve Fund of the county are hereby suspended insofar as they relate to the funds to be derived from the collection of delinquent taxes for the tax year 1958, and the county treasurer shall apply to the appropriations provided for in this act all delinquent taxes to be collected for the tax year 1958 as they are received by the County Treasurer. This provision shall apply only to the delinquent taxes for the year 1958, and hereafter all provisions of law pertaining to the disposition of monies obtained from the collection of delinquent taxes shall apply.

SECTION 4. If any of the items, or portions thereof, for which funds are herein appropriated should be assumed by the State and appropriations therefor be made by the State, or if the same shall become available in any other manner, then the amounts for such purposes herein appropriated shall be paid to the special reserve fund in the amount herein appropriated if the State appropriations or other available funds be sufficient for that amount, and, if the State appropriations or other available funds should not be sufficient, then only so much of the funds herein appropriated as may be necessary shall be used with the balance to be paid to the special reserve fund.

SECTION 5. All funds received by the county from whatever source realized above the amount necessary to pay the appropriations hereinabove made, all unused amounts of appropriations for previous fiscal years and the proceeds of all delinquent tax collections for prior years not otherwise pledged shall be transferred by the treasurer to the special reserve fund as now provided by law.

SECTION 6. The county supervisor is authorized and directed to call to his assistance in maintaining the courthouse and other public grounds the Campbell Ashley Garden Club, and to furnish plants, fertilizer and labor for the beautification of the grounds.

SECTION 7. Travel allowances for county officers who are allowed travel on a mileage basis hereafter shall be at the rate of seven cents per mile and this shall become a part of the permanent law.

SECTION 8. From the County Board of Education Fund all members of the county board of education, except the superintendent of education, shall be paid ten dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile.

SECTION 9. The schools of Colleton County being operated on a county unit system, the District Boards of School Trustees of Colleton County, with the approval of the county board of education, are hereby authorized to make application for and receive in behalf of all the schools of the county such building funds as may be available under the terms of the State Appropriations Act for the fiscal year 1959-1960, and all subsequent aid to schoolhouse construction. The county board of education is authorized to establish and operate schools in such locations as will best serve the educational needs of the county and to pay the county's portion of the expense of operating such schools from the general school funds of the county, but the county board shall have no power to move the general locations of schools now operating as high schools so long as such high schools may meet enrollment and average attendance requirements as now provided by law. The county board in its discretion may establish a new high school or high schools wherever the same will best serve the educational interests of the county. The county board of education shall establish for approval by the State Educational Finance Commission bus routes for transporting school children.

SECTION 10. All funds to be received from the Federal Government for the maintenance and operation of schools shall be deposited with the county treasurer to the credit of the particular district for which payment was made and shall be withdrawn for proper expenditure by regular school vouchers signed by the district superintendents and approved by the county superintendent of education.

SECTION 11. The county supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to

ten days annual sick leave with pay provided the employee is under a doctor's care.

SECTION 12. All increases in Aid to Counties from State sources not anticipated in Items 16 and 17 hereinabove are to be applied toward County's portion of support of public schools and toward a reduction of net appropriation to be raised by property taxation under line 264 in Item 17 of this bill. The amount applied herein from such sources shall not exceed the sum of \$30,000.00.

SECTION 13. All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R227, H1354)

No. 390

An Act To Authorize And Empower The Darlington County Advisory Commission To Borrow Not Exceeding Thirty-Five Thousand Dollars To Be Used For Improving And Renovating The Darlington County Agricultural Building And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County may borrow money for Agricultural Building.—The Darlington County Advisory Commission is hereby authorized and empowered to borrow a sum not exceeding thirty-five thousand dollars from any bank or banks or other financial institution or financial institutions or other agency or agencies it may select for use in the improving and renovating of the Darlington County Agricultural Building. The amount or amounts borrowed shall be evidenced by a note or notes to be executed jointly by the Chairman of the Darlington County Advisory Commission and the county treasurer. Such note or notes shall bear interest at the best available rate, not to exceed four per cent per annum from the date thereof, the interest to be paid semiannually on June thirtieth and December thirty-first. Such note or notes shall mature upon such date or dates as the Darlington County Advisory Commission

shall determine but not later than five years from the date of issue. The full faith, credit and taxing power of Darlington County is hereby irrevocably pledged to the repayment of the interest and principal of the note or notes issued hereunder.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R395, H1599)

No. 391

An Act To Authorize And Empower The Darlington County Advisory Commission To Borrow Not Exceeding One Hundred Twenty-Five Thousand Dollars To Be Used For Building, Repairing And Improving Of Public Roads And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Darlington County Advisory Commission may borrow money—notes—payment.—The Darlington County Advisory Commission is hereby authorized and empowered to borrow a sum not exceeding one hundred twenty-five thousand dollars from any bank or banks or other financial institution or financial institutions or other agency or agencies it may select for use in the building, repairing and improving of public roads. The amount or amounts borrowed shall be evidenced by a note or notes to be executed jointly by the Chairman of the Darlington County Advisory Commission and the county treasurer. Such note or notes shall bear interest at the best available rate, not to exceed four per cent per annum from the date thereof, the interest to be paid semiannually on June thirtieth and December thirty-first. Such note or notes shall mature upon such date or dates as the Darlington County Advisory Commission shall determine but not later than ten years from the date of issue. The full faith, credit and taxing power of Darlington County is hereby irrevocably pledged to the repayment of the interest and principal of the note or notes issued hereunder.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R494, H1783)

No. 392

An Act Authorizing The Board Of Trustees Of Darlington County School District To Borrow Funds For Improvement Of School Buildings, Construction Of New Buildings And Purchase Of Land Without Increasing The Present Tax Levy Of Six And One-Half Mills For Bond Indebtedness, School Notes, And School Improvement Bonds.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Darlington County may borrow money for school purposes.—The Board of Trustees of Darlington County is authorized to borrow money for the improvement of school buildings, the construction of new school buildings and the purchase of land.

SECTION 2. Notes—maturity—execution—interest—sale.—The loans shall be evidenced by a note or notes of Darlington County, which shall mature not later than five years from the date as of which they are issued. Such note or notes shall be executed in the name of Darlington County by the chairman of the board of Trustees of Darlington County School District, attested by the secretary of the board, under the seal of the board. The interest to become due on the note or notes shall be payable annually or semiannually in the discretion of the board, and may, in its discretion, be evidenced by coupons. In such event the coupons attached to such note or notes shall be authenticated by the facsimile signature of the chairman of the board lithographed or engraved thereon. Such note or notes shall be sold by the board at not less than par and accrued interest to the date of delivery, at public sale, and at least ten days prior to such sale, a notice, announcing the intention to receive bids for the sale of such note or notes, shall be published in a newspaper of general circulation in the State of

South Carolina. In offering the note or notes for sale, the right shall be reserved to reject any and all bids, and if all bids are rejected, it shall be lawful to dispose of the note or notes at private sale.

SECTION 3. Payment.—For the payment of the note or notes and interest, as they mature, the auditor of Darlington County is authorized to continue to levy and the treasurer to collect the present six and one-half mills tax levy to pay for school bonds, school notes and school improvement bonds and the full faith, credit, resources and taxing power of Darlington County is hereby pledged for the payment of any such loan authorized by this act; *provided*, that in no event shall more than six and one-half mills be levied in order to carry out the provisions of this act.

SECTION 4. Not to affect other obligations.—The provisions of this act shall in no way affect the present bond indebtedness, school bonds, school notes and school improvement bonds or interest, or the manner in which they are now being paid.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R554, H1681)

No. 393

An Act To Provide For The Income And Levy Of Taxes, If Necessary, In Darlington County For County Purposes For The Twelve Months From July 1, 1959 To June 30, 1960, And For The Expenditure Thereof; To Authorize The Advisory Commission Of Darlington County To Borrow For Ordinary County Purposes And To Direct The Expenditures Thereof; To Make Certain Provisions With Respect To The Appointment Of Deputy Sheriffs, Bailiffs, County Attaches And The Service Officer; To Provide Salaries For Various County Officers; To Further Provide For The County Government Of The County; And To Appropriate Funds For Its Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated any and all surplus funds now in the Darlington County Treasury, derived from payment of past due taxes and other sources, for the purpose of defraying the ordinary county expenses for the twelve months beginning July 1, 1959, and ending June 30, 1960 and hereinbelow provided for. Upon the passage of this act, the auditor is directed to ascertain the actual amount of surplus in the treasury and determine the amount of revenue necessary to meet the expenditures provided for in this act, and in the event that he finds insufficient funds for such purpose he is authorized and directed to levy a tax of sufficient millage to raise any amount necessary to meet the appropriation herein provided for, to wit:

Item 1. Auditor's Office

(a) Auditor	\$ 3,020.00
(b) Auditor, Expenses	1,200.00
(c) Clerk	3,000.00
(d) Clerk	3,000.00
(e) Extra Clerical Help	1,000.00

Total Item 1	\$ 11,220.00
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Item 2. Board of Assessors and Equalization

Total Item 2	\$ 2,500.00
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Item 3. Clerk of Court's Office

(a) Clerk to Clerk of Court	\$ 3,000.00
(b) Extra Clerical Help	3,000.00

Provided, that the Clerk of Court shall receive all fees other than fines and fifty-five dollars per month for court work (Expenses) 660.00

(c) Renovation and Repairs to Office of Clerk of Court	6,000 00
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Provided, however, that so much of the above amount as is necessary for repair and renovation of the office of the Clerk of Court shall be expended at the direction of the Clerk of Court and any surplus remaining therefrom shall be turned into the General Account as soon as the repairs are completed.

Total Item 3	12,660 00
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Item 4. Coroner's Office	
(a) Coroner—Salary and Expenses	\$ 1,500.00
(b) Taking Testimony	500.00
<i>Provided</i> , that all jurors serving at coroner's inquests shall receive two dollars per day for such service.	
Total Item 4	\$ 2,000.00
Item 5. Service Officer's Office	
(a) Salary of Service Officer	\$ 4,620.00
(b) Travel Expense	550.00
(c) Secretary to Service Officer	3,000.00
Total Item 5	\$ 8,170.00
Item 6. Health Department	
(a) Health Department	\$ 12,003.30
(b) Five Members—County Board of Health—Expenses	600.00
<i>Provided</i> , that from the balance of the above appropriation State-paid salaries and expenses may be supplemented to employees, to conform with other salaries paid in the county, the amount of such supplement in each case to be determined by the County Advisory Commission.	
(c) Mosquito and Fly Control	2,500.00
(d) Mental Health Clinic	4,500.00
(e) To Match Federal and Florence County funds for a Mental Health Clinic	4,000.00
Total Item 6	\$ 23,603.30
Item 7. Public Welfare	
(a) Public Welfare Administration	\$ 1,918.00
(b) Public Welfare Board (three members, expense)	1,440.00
(c) Darlington Red Cross	600.00
(d) Hartsville Red Cross	600.00
(e) Lamar Red Cross	250.00
(f) T. B. Association	500.00
Total Item 7	\$ 5,308.00

Item 8. Board of Registration

(a) Chairman of Board	\$ 200.00
(b) Second Member	200.00
(c) Third Member	200.00
(d) Clerical Help and Expenses	3,000.00

Provided, that the expenditures for Item (d) will be by and under the direction and supervision of the County Advisory Commission.

Total Item 8 \$ 3,600.00

Item 9. Judge of Probate's Office

(a) Judge of Probate, Salary	\$ 3,850.00
This amount to be paid in addition to the fees of the office, upon a monthly basis.	
(b) Clerk to Probate Judge	3,000.00

Total Item 9 \$ 6,850.00

Item 10. Magistrates

(a) Darlington, Salary	\$ 2,310.00
(b) Darlington, Expense	600.00
(c) Hartsville, Salary	2,310.00
(d) Hartsville, Expense	600.00
(e) Hartsville, Office Rent	1,200.00
(f) Darlington County Judge	7,600.00
(g) County Judge, Expenses	900.00
(h) Secretary to County Judge	3,000.00
(i) Lamar, Salary	1,500.00
(j) Lamar, Expenses	600.00
(k) Lamar, Office Rent	360.00
(l) Society Hill, Salary	1,000.00
(m) Society Hill, Office Rent	180.00
(n) Lydia, Salary	450.00

Provided, that no magistrate in Darlington County shall receive his salary, unless and until, he shall have filed a statement with the County Advisory Commission showing all cases handled and the disposition thereof.

Total Item 10 \$ 22,610.00

Item 11. Sheriff

(a) Sheriff, Salary	\$ 4,200.00
(b) Sheriff, Expenses	2,600.00
(c) Sheriff, Allowance for gas and oil	1,800.00
(d) Nine Deputies, Salaries	30,800.00
<i>Provided</i> , that the Chief Deputy shall receive \$50 00 per month additional salary.	
(e) Office Deputy, Salary	1,200.00
(f) Office Deputy, Expenses	2,000.00
(h) Nine Deputies, Expenses	13,620.00
(i) Jailer, Salary	2,000.00
(j) Jailer, Expenses	600.00
(jj) For repair of the County Jail	1,500.00
(k) Uniforms, Supplies, Transporting Prisoners and Radio Maintenance	7,000.00
<i>Provided</i> , that compensation for transportation of prisoners shall be at the rate of \$7.00 per diem; <i>provided</i> , further that no expenses shall be paid for trips less than one hundred fifty miles total (round trip).	
(l) Five School Deputies for Sheriff's Office, two Darlington, three Hartsville	3,800.00
(m) Criminal Identification Bureau	5,500.00
(n) For purchase of six automobiles for Sheriff's Department to be purchased by County Manager	15,000.00
(o) Gas, Oil and Repairs for Sheriff's Automobiles	10,000.00

Total Item 11 \$101,620.00

Item 12. Tax Collector's Office

(a) Tax Collector, Salary	\$ 4,200.00
(b) Car Expense, Tax Collector	2,070 00
(c) Clerk	3,000.00
(d) Extra Clerical Help	1,000.00
(e) Assistant Tax Collector (Salary \$245 00 per month—Expense, \$100.00 per month)	4,540.00
<i>Provided</i> , that all of the above salaries and supplies for this office shall be paid by the County Manager's Office and the fee for treasurer's warrant, fee for executing each warrant, mileage	

fee, fee for notice of sale, plus cost of publication, and fee for making sale and execution of deed collected by this office shall be turned into the treasury each month to be credited to the county ordinary account.

Total Item 12	\$ 14,810.00
Item 13. Office of Treasurer	
(a) Treasurer, Salary	\$ 3,020.00
(b) Treasurer, Expenses	1,200.00
(c) Secretary to Treasurer	3,000 00
(d) Clerk	3,000.00
(e) Extra Clerical Help	1,000.00
Total Item 13	\$ 11,220 00
Item 14. National Guard	
(a) National Guard	\$ 1,500.00
(b) Permanent Improvements, Hartsville Armory	250 00
(c) Permanent Improvements, Darlington Armory	250 00
(d) Medical Detachment, Darlington, Supplies	200 00
Total Item 14	\$ 2,200 00
Item 15. Sinking Fund Commission	
(a) Clerk, Sinking Fund Commission	\$ 540 00
Total, Item 15	\$ 540.00
Item 16 County Advisory Commission	
(a) Salary, six Commission Members	\$ 1,800.00
(b) County Manager, Salary	6,800.00
(c) County Manager, Expenses	1,600 00
(d) County Road Supervisor, Salary	4,000.00
(e) County Road Supervisor, Expenses	1,300 00
(f) Clerk	3,000 00
(g) Stenographer	3,000.00
(gg) Secretary to Senator	3,000 00
(ggg) Secretary to House Delegation	3,000.00
(h) County Attorney	780 00
(i) County Attorney, Expenses	300.00
(j) Premium, Officers' Bond	1,500.00

(k) Printing, Postage and Stationery	11,000.00
(l) Jurors and Witnesses	10,000.00
<i>Provided</i> , that jurors for court of common pleas, general sessions and county court shall be paid a maximum of seven dollars per day.	
(m) Lunacies, post mortems, coroner's jurors ...	1,350.00
<i>Provided</i> , that no post mortem charges shall be paid except for post mortems conducted upon written order of the sheriff or coroner.	
(n) Dieting prisoners at one dollar twenty-five cents per day each	12,000.00
(o) Jail, lights, fuel and supplies	6,000.00
(p) Insurance, Buildings	1,600.00
(q) Public Buildings, including Health Centers ..	16,000.00
<i>Provided</i> , that each office for which the county pays a phone bill shall, before the payment of such bill, submit to the County Advisory Commission a list of all long distance calls charged to such office, and including (1) the name of person making the call; (2) place and person called; (3) time and duration of call; (4) purpose of call; and (5) charges.	
(r) Insurance on Employees	12,000.00
(s) Vital Statistics	900.00
(t) Contingent Account	15,000.00
(u) Roads, Bridges, Chain Gang and Road Construction	200,000.00
<i>Provided</i> , that not exceeding one-twelfth of the amount set forth shall be expended or obligated in any month, and an itemized statement of such expenditure shall be furnished to the Advisory Board and the Legislative Delegation. <i>Provided</i> , further, that all employees of the County Road Force and Chain Gang Guards shall be given a ten per cent increase in salary.	
(v) Replacing Road Machinery Equipment	10,000.00
All machinery purchased under subitem (v) shall be purchased by the County Advisory Commission, and only after the Commission has so-	

licited and received sealed bids upon the types of machinery which it desires to purchase.

(w) Concrete Pipe	5,000.00
(x) County Law Library	1,500.00
(y) County's contribution to Retirement System and Social Security	15,000.00
(z) Workmen's Compensation Insurance	2,500.00
(aa) Janitor Courthouse	2,100.00
(bb) Janitor, Agricultural Building	1,620.00
(cc) Secretary to Circuit Court Judge	3,000.00

Provided, all expenditures under Item 16 shall be under the direction and control of the County Advisory Commission. No person shall be employed, nor any obligation of more than one hundred dollars incurred, without the prior approval of a majority of the Commission.

Total Item 16	\$356,650.00
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Item 17. Farm Extension Work

(a) 4-H Club Work (White)	\$ 200.00
(b) 4-H Club Work (Negro)	200.00
(c) Junior Homemakers	300.00
(d) Negro Farm Demonstration Agent, Salary...	1,200.00
(e) Assistant, Negro Farm Demonstration Agent, Salary	750.00
(f) Negro Farm Demonstration, Clerical	500.00
(g) Stamps and Incidentals, County Agent	200.00
(gg) Home Demonstration Agent, Salary	480.00
(h) Stamps and Incidentals, County Home Demonstration Agent	100.00
(i) Probation Officer, Expenses and Secretary...	2,100.00
(j) Demonstration supplies, Home Demonstration Agent	100.00
(k) Farm Women's Club Work	100.00
(l) Salary and Travel, Negro Home Demonstration Agent	1,200.00
(m) Incidentals	80.00
(n) Negro Office Expense, Rent and Fuel	400.00
(o) County Agent, Salary	1,200.00
(p) County Agent, Expense for Travel	500.00

(q) Secretary to County Agent	300.00
(r) Assistant County Agent, Salary	600.00
(s) Assistant County Agent, Expense for Travel	300.00
(t) Assistant County Agent for Farmers Market— Expenses	400.00

Total Item 17\$ 11,210.00

Item 18. Forestry

(a) County Ranger Supplement	\$ 600.00
(b) Rural Fire Control	2,000.00
(c) Purchase of Tractor	5,000.00

Total Item 18\$ 7,600.00

GRAND TOTAL\$604,371.30

Item 19. Estimated Revenue

(a) Magistrates' Fines	\$ 30,000.00
(b) Liquor Tax	35,000.00
(c) Beer and Wine Tax	10,000.00
(d) Gasoline Tax	135,000.00
(e) Clerk of Court Fines	9,000.00
(f) Service Officer's Office	5,100.00
(g) Income Tax Refund	65,000.00
(h) Delinquent Taxes	22,000.00

Total Item 19\$311,100.00

Estimated amount to be raised by taxation ...\$293,271.30

SECTION 2. The county advisory commission is hereby empowered to borrow money for current expenses and road maintenance in anticipation of taxes to be collected; *provided*, that before borrowing any funds or issuing any notes, the commission must first obtain the written approval of a majority of the county legislative delegation. The amount provided herein in Item 16, subitem (t), (contingent account) shall not be expended except on approval of the Darlington County Advisory Commission, at a regular or special meeting of the commission, by majority vote, and recorded in the minutes of the meeting, except for the expense of an annual audit, as hereinafter provided. The county manager shall not pay any claims

in excess of the appropriation made for such purpose unless consent thereto is given by a majority of the legislative delegation, including the Senator.

SECTION 3. All county officers with exception of the superintendent of education shall furnish the county manager a written request for all supplies and equipment needed, and no obligation created by any county official, except the county manager, with the approval of the advisory commission, shall be valid against the county.

SECTION 4. Examination in lunacy cases shall be made by two physicians and the fee for this examination shall not exceed five dollars for each examining physician.

SECTION 5. The attaches and bailiffs for the Common Pleas and General Sessions Court of Darlington County shall be appointed by the clerk of court and all checks for witnesses, jurors and others in attendance upon the courts shall be signed by the Clerk of Court of Darlington County.

SECTION 6. The sheriff's deputies shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; *provided*, the sheriff may designate one of his deputies as chief deputy.

SECTION 7. The sheriff shall appoint a jailor whose term of office shall be for one year on a fiscal year basis beginning July 1, 1959. *Provided*, however, that he may be removed at any time at the sheriff's pleasure. The jailor shall be responsible for the dieting of prisoners.

SECTION 8. There shall be employed annually, about July, a competent auditor, to be appointed by a majority of the delegation, including the Senator, to audit the books of the county. The work shall be done under the supervision of the delegation and the cost shall be determined by the delegation and paid out of the contingent fund.

SECTION 9. The amounts herein appropriated are to be contingent upon the collection of revenue sufficient to pay the same. If at any time during the fiscal year, it shall appear that there will be a shortage in revenue to pay the amount herein appropriated, a majority of the delegation, including the Senator, is hereby authorized and directed to reduce such appropriations as the delegation deems

advisable in such amount or amounts as to bring expenditures for the fiscal year within the anticipated revenue; *provided*, that in the event and at any time during the fiscal year it shall appear that the taxes collected from indirect sources, such as from the State of South Carolina, and any other source, be more than sufficient to pay the appropriation herein made, such surplus funds at any time may be transferred from one fund to another upon the written authorization directed to the county treasurer and signed by a majority of the legislative delegation, including the Senator; *provided*, further, that any surplus funds now on hand in any department of Darlington County may be, after the passage of this act and any time during the fiscal year, transferred to another department or into the general funds, upon authorization by a majority of the members of the legislative delegation, including the Senator.

SECTION 10. The amount provided in Item 16, subitem (x) shall not be expended except on approval of the circuit judge of the fourth judicial circuit.

SECTION 11. The amounts herein appropriated to salaries and roads and bridges shall be paid out one-twelfth each month during the fiscal year 1959-1960. Any note or contract made by any officer of the county or by the county manager for any amount not included in this supply act shall be null and void; any officer or employee who disregards any of the provisions hereof, without the consent of a majority of the Darlington County Legislative Delegation, including the Senator, kept on file in the county manager's office, shall be guilty of a malfeasance in office and subject to removal. If the county advisory commission at any time finds that the appropriation or monthly allotment is not sufficient to maintain the maximum chain gang and equipment or road maintenance then, in that event, they are required to send to the State Penitentiary a sufficient number of long term chain gang prisoners and reduce equipment and other expenses so that the expense will come within the monthly allotment herein provided. All appropriations herein made are subject to the right and authority of the majority of the Darlington County Legislative Delegation, including the Senator, to change, alter or deduct therefrom when, in its judgment, such change, alteration or deduction is necessary for the best interests of the county and to conform with revenue expected during the life of this act. *Provided*, the county legislative delegation shall have no

authority to issue any authorization for expenditure of funds between sessions of the General Assembly.

SECTION 12. If any word, clause, sentence or section of this act be declared unconstitutional, such shall not affect any other word, clause, sentence or section hereof.

SECTION 13. All acts or parts of acts inconsistent herewith are repealed.

SECTION 14. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R562, H1820)

No. 394

An Act To Appropriate A Sum Of Money For Educational Purposes In Darlington County For The Fiscal Year 1959-1960; To Provide For The Expenditure Thereof; And To Provide For The Levy Of A Tax Sufficient To Pay The Sum Appropriated Herein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The sum of eighteen thousand and fifty-four dollars is hereby appropriated for education purposes for Darlington County for the fiscal year 1959-1960. The sum shall be expended for the following purposes :

Item 1. Travel Expenses, County Superintendent of Education	\$ 600.00
Item 2. Bookkeeper & Secretary	3,000.00
Item 3. Stenographer	2,600.00
Item 4. Stenographer	2,400.00
Item 5. Office Supplies and Equipment	1,400.00
Item 6. Travel for Visiting Teacher	700.00
Item 7. Salary, Superintendent of Education	3,554.00
Item 8. Board of Education, 6 members @ \$25.00 each .	1,800.00
Item 9. Board of Trustees, 9 members @ \$100.00 per year and 1 Secretary \$200.00 per year, stamps, etc. \$100.00	1,200.00

Item 10. School Lunch Office 800.00

Total\$ 18,054.00

The auditor shall levy, and the treasurer shall collect, a tax on all the taxable property of the county sufficient to pay the above appropriation.

SECTION 2. The Board of Trustees of Darlington County School District shall, before July, 1959, file with the county board of education, and each member of the legislative delegation, a proposed budget for each school in the county for the 1959-60 fiscal year. The budget shall itemize proposed expenditures and propose the necessary current levy to cover these expenditures. The county board shall examine all budgets and its approval, with the approval of a majority of the legislative delegation, shall constitute the authority and direction to the county auditor to levy the tax provided for in Section 1.

SECTION 3. This act is supplementary to the General Supply Act of Darlington County which might be in effect for the 1959-1960 fiscal year and the permanent school levies for Darlington County, and shall in no respect be considered as a repeal of them or any part thereof.

SECTION 4. The funds herein appropriated shall be expended by the county treasurer in the usual way, but upon request of the superintendent of education, or the chairman of the county board of education.

SECTION 5. The county board of education may supplement salaries or expenses of the superintendent of education or other office employees out of any funds in their hands that can legally be expended for such purposes, with the approval of a majority of the county legislative delegation, including the Senator.

SECTION 6. All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R320, H1577)

No. 395

An Act To Appropriate Twenty Thousand Dollars From The General Fund Of Dillon County To Be Used For Industrial Expansion In The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Appropriation by Dillon County for industrial expansion.—There is hereby appropriated from the General Fund of Dillon County the sum of twenty thousand dollars to be used for future industrial expansion in the county. The county treasurer shall set aside the sum appropriated and shall hold it in a special fund to be used for future industrial expansion. The fund shall be used as may be determined by a majority of the Dillon County Legislative Delegation, including the Senator.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R523, H1547)

No. 396

An Act Appropriating Two Thousand Dollars From The General Fund Of Dillon County To Be Utilized In Renovating The Office Of The Clerk Of Court.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County—appropriation for renovating clerk of court's office.—There is hereby appropriated from the general fund of Dillon County the sum of two thousand dollars, if so much be necessary, to be utilized in renovating the office of the clerk of court. Said money to be expended upon approval of the County Board of Commissioners and a majority of the Delegation, including the Senator.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R550, H1641)

No. 397

An Act To Provide For Appropriations For Paving At The Dillon County Airport And The Purchase Of Trenching Equipment For Soil Conservation.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Dillon County—appropriation for paving at airport.—There is appropriated from the general fund of Dillon County the sum of seventeen thousand dollars, if so much be necessary, to be used for paving at the Dillon County Airport. No such funds shall be appropriated unless matching funds are provided by the Federal Government. Such expenditure shall be made only upon the approval of a majority of the Dillon County Legislative Delegation, including the Senator.

SECTION 2. Appropriation for trenching equipment.—There is appropriated from the general fund of Dillon County the sum of ten thousand dollars, if so much be necessary, to be used for the purchase of trenching equipment for soil conservation.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R563, H1658)

No. 398

An Act To Provide For The Levy Of Taxes For County And School Purposes Of The County Of Dillon For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960; To Provide

For The Expenditure Thereof, And Prescribe The Duties Of Certain County Officers.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of twelve mills is hereby levied upon all the taxable property in the County of Dillon for county purposes, for the fiscal year beginning July 1, 1959, for the amounts and for the purposes hereinafter stated, that is to say :

A. Salaries :

Auditor's Office :

County Auditor, Salary	\$ 2,100.00
Mileage	200.00
Clerk to Auditor	2,600.00
The County Auditor is hereby assigned as custodian of grounds of public buildings and auditing machines.	
Clerk to Auditor is hereby assigned as assistant custodian of grounds of public buildings and auditing machines.	
	200.00

Total

Treasurer's Office :

County Treasurer, Salary	\$ 2,100.00
Mileage and Office Expense	200.00
Clerk to County Treasurer	2,600.00

Total

Clerk of Court's Office :

Clerk of Court, Salary	\$ 5,400.00
Mileage and Office Expenses	200.00
Additional Duties, Clerk of Court	300.00
Clerk to Clerk of Court	2,600.00

Provided, the Clerk of Court is herewith assigned additional duties of custodian of Courthouse and photographic machine operator.

Total

Sheriff's Office :

Sheriff, Salary	\$ 5,200.00
Sheriff, Mileage	1,800.00
Deputy Sheriffs, 5 @ \$3,600.00 each	18,000.00

5 Deputy Sheriffs, mileage @ \$1,800.00	9,000.00
Radio Supplies, Equipment, Investigation and Information	900.00
Jailer—Radio Operator	2,000.00
Clerk to Sheriff	2,600.00
<i>Provided</i> , the sheriff shall designate one deputy as the Chief Deputy, for such additional duties, shall be compensated annually, additional salary	300.00
The sheriff shall designate one deputy as Special Deputy, for such additional duties shall be compensated annually additional salary	300.00
Use of personal cars—Sheriff & 5 deputies Each @ \$600.00 annually, payable monthly	3,600.00
Total	\$ 43,100.00
Probate Judge's Office:	
Judge of Probate, Salary	\$ 4,500.00
Mileage and Office Expense	200.00
Clerk to Probate Judge	2,600.00
Total	\$ 7,300.00
County Board of Commissioners:	
Chairman, Salary	\$ 1,200.00
Chairman, Mileage	100.00
Five Commissioners @ \$900.00 each	4,500.00
Five Commissioners, Mileage	500.00
Clerk to County Board	2,600.00
Dieting of Prisoners	1,500.00
Emergency Fund—Jail Medicines	450.00
Emergency Casket Fund	1,500.00
Road Supervisor, Salary	3,700.00
Road Supervisor, Mileage and Expense	600.00
Operational Fund for Road Maintenance, Bridges, etc.	34,000.00
Chain Gang Guards, 5 @ \$2,800.00	14,000.00
One Mechanic	2,800.00
Clerk to Delegation, provided that Clerk of Board of Commissioners shall serve as Clerk to Delegation	300.00
Dillon County Chamber of Commerce	1,000.00
Dillon Rescue and First Aid	500.00

Street Lights for Unincorporated Communities . 1,200.00
 Emergency Aid, Hospitalization and Medical
 Care for paupers only. All expenditures here-
 from shall be authorized by a member of the
 County Board of Commissioners only, and upon
 properly prepared blanks with duplicate being
 retained by the Commissioner so issuing, and,
 payment from fund shall be by properly executed
 voucher through the County Commissioner's
 office. Upon presentation of original authoriza-
 tion 13,000.00

Total \$ 83,450.00

Board of Education Office:

Chairman, @ \$65.00 per month \$ 780.00
 Two Members, @ \$600.00 each 1,200.00
 Clerk to County Board of Education 2,600.00
 Jeanes Teacher, Salary 2,800.00
 Jeanes Teacher, Mileage 480.00
 Attendance Teacher, Mileage Expenses 600.00
 County Superintendent of Education, Mileage
 Expense 1,100.00

Total \$ 9,560.00

Board of Health:

Clerk I, Salary \$1,258.00
 Clerk I, Part-time 1,053.00
 Travel:
 Health Officer 750.00
 Sanitarian III 1,420.00
 P. H. Nurse 1-B 1,000.00
 P. H. Nurse 1-A 1,000.00
 P. H. Nurse 1-A 1,000.00
 Miscellaneous Office Expense 800.00
 Medicine for Indigent T. B. Patients 200.00

Total \$ 8,481.00

Department of Public Welfare:

Chairman \$ 420.00
 Two Members, @ \$360.00 each 720.00
 Two Clerks, @ \$180.00 each 360.00

Mileage, Child Welfare Worker	720.00
Miscellaneous Expense—Office	1,440.00
Welfare Fund, for Out-of-County Expenses ...	200.00
Total	\$ 3,860.00
Office of County Service Officer:	
Service Officer, Salary	\$ 3,600.00
Service Officer, Mileage	800.00
Assistant to Service Officer	2,600.00
Office Expense	300.00
Total	\$ 7,300.00
Tax Collector's Office:	
Assistants to Tax Collector	\$ 3,500.00
<i>Provided</i> , this fund shall be disbursed on a basis of two dollars for each tax execution collected by Tax Collector or Assistant Collectors, and that their claims shall be approved by the Delinquent Tax Collector before approval and payment by the County Board of Commissioners.	
Clerk to Delinquent Tax Collector	2,600.00
Total	\$ 6,100.00
Magistrates:	
Dillon	\$ 2,400.00
Little Rock	750.00
Latta	2,220.00
Kirby	420.00
Lake View	1,000.00
Fork	420.00
Total	\$ 7,210.00
Master's Office:	
Master, Salary	\$ 2,400.00
<i>Provided</i> , clerical help be paid by Master from Salary.	
Total	\$ 2,400.00
Coroner's Office:	
Coroner, Salary	\$ 1,200.00
Stenographer to Coroner	200.00

Provided, that stenographer shall be paid by
County Board of Commissioners at the rate of
\$7.00 per inquest.

Mileage	200.00
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Total	\$ 1,600.00
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County Attorney's Office:

County Attorney, Salary	\$ 300.00
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Total	\$ 300.00
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Janitors:

Janitors at Courthouse	\$ 1,700.00
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Janitor at Agricultural Building	1,500.00
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Janitor at Health Center	1,500.00
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Total	\$ 4,700.00
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B. Jurors	\$ 3,000.00
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Provided, jurors be paid at rate of \$6.00 per day.

Total	\$ 3,000.00
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C. Post Mortems, Inquests, Lunacy Examinations ..	\$ 1,000.00
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Total	\$ 1,000.00
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D. Public Buildings, including Health Centers, Fuel, Water, Lights, Insurance, Telephone	\$ 15,000.00
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Provided, however, that all long distance tele-
phone calls be reported separately to the Board
of Commissioners before any bills shall be paid,
such reports to be submitted by the first Monday
in each month.

Total	\$ 15,000.00
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F. Dillon Armory	\$ 1,200.00
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Total	\$ 1,200.00
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G. Tuberculosis Association Workers, Mileage	\$ 500.00
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Cancer Society	750.00
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Dillon County Mental Health Association	250.00
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Total	\$ 1,500.00
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H. Printing, Postage, Stationery	\$ 6,000.00
Total	\$ 6,000.00
I. Contingencies:	
Legal Contingencies (only)	\$ 500.00
Miscellaneous Contingent Fund	6,000.00
<i>Provided, \$5,000.00 of the above sum shall be spent upon the approval of the Legislative Delegation and \$1,000.00 shall be spent upon approval of the County Board of Commissioners.</i>	
Total	\$ 6,500.00
J. Latta Library	\$ 11,920.00
Funds to be paid monthly by County Board of Commissioners on vouchers properly drawn by Latta Library Association—also operation Negro Libraries.	
Total	\$ 11,920.00
K. Vital Statistics	\$ 300.00
Total	\$ 300.00
L. Postage, Home and Farm Agents	\$ 50.00
4-H Club—Boys'	175.00
4-H Club—Girls'	175.00
Home Demonstration Supplies	50.00
Boy Scout Work	250.00
Girl Scout Work	150.00
Home Demonstration Agent, Salary Supplement	120.00
County Agent, Salary Supplement	420.00
Assistant County Agent, Mileage	120.00
Dillon Soil Conservation Dist.	700.00
Game Warden, Mileage	300.00
Total	\$ 2,510.00
M. Retirement Fund, County Officials	\$ 2,600.00
Social Security, County Officials	2,000.00
Workmen's Compensation	825.00
Total	\$ 5,425.00

N. Chaplain for Chain gang	\$ 300.00
Total	\$ 300.00
O. Salary, one Clerk, Farm Security Administra- tion	\$ 2,600.00
Total	\$ 2,600.00
P. Board of Equalization	\$ 900.00
Total	\$ 900.00
Q. Dunbar Memorial Library:	
Librarian, Salary—\$25.00 monthly	\$ 300.00
Total	\$ 300.00
R. Forestry Board:	
Operation—Two Trucks @ \$300.00	\$ 600.00
Supplies—Tires, Tubes, etc.	350.00
Total	\$ 950.00
S. American Legion	\$ 350.00
V. F. W.	350.00
Lake View American Legion	350.00
Lake View Library	500.00
Mrs. A. B. Jordan—Retirement @ \$37.50 per month as per 1954 Act No. 823	450.00
B. F. Gasque—Retirement @ \$100.00 per month	1,200.00
Dillon Garden Club for Beautification of County Buildings and Grounds	200.00
Total	\$ 3,400.00
Rural Fire and Rescue, Director	\$ 3,600.00
Travel and Mileage	400.00
Truck Drivers and Maintenance Men (2 @ \$3,000.00)	6,000.00
Misc. Supplies	1,000.00
Total	\$ 11,000.00
GRAND TOTAL—APPROPRIATIONS ...	\$257,696.00

Estimated Amount of Deductions and Discounts Under Tax Discount Act	\$ 5,000.00
Estimated Amount of 1957-1958 Nulla Bona Tax Executions	5,000.00
Total	\$ 10,000.00

GRAND TOTAL—
ALL APPROPRIATIONS \$267,696.00

Less Estimated Revenue—Other than Taxes:

Insurance Tax from State	\$ 10,000.00
Fines and Costs—Magistrates	20,000.00
Gasoline Tax from State	75,000.00
Liquor Tax and Licenses from State	25,000.00
Income Tax from State	33,000.00
From State for Service Officer's Office	5,000.00
Fees and Commissions from County Offices	25,000.00
Beer Tax from State	7,000.00
Bank Tax from State	1,000.00
Total	\$201,000.00

Net to be Raised from Taxation \$ 66,696.00

SECTION 2. Supplies such as coal, fuel, food, office and other supplies for operation of the County Courthouse, Agricultural Building, Health Centers, Jail and Chain Gang shall be purchased by the board of county commissioners. No salaries shall be paid in advance.

SECTION 3. The Road Supervisor of Dillon County shall perform his duties under the direction and control of the county board of commissioners. The county board of commissioners shall control and maintain strict supervision of all county roads, all equipment and installations at the chain gang camp and such cemeteries as may be decided upon by the board. Supplies and equipment for the chain gang shall be purchased by or at the direction of the county board of commissioners.

SECTION 4. The appointment of the Jailer shall be the duty of the Sheriff, and he shall be fully responsible for the Jailer's duties and actions. The Jailer is also to be radio operator at the jail's remote control station.

SECTION 5. The County Treasurer of Dillon County, and other officers of the county who may handle funds of the county, are hereby authorized and empowered to deposit funds of the county or subdivisions thereof, both current or sinking funds in any bank or banks, but before making such deposits, shall require from such bank or banks a bond equal to or in excess of funds deposited, secured by bonds of the United States Government, or State, county, or any political subdivision thereof, and approved by a majority of the following: chairman of the board of county commissioners, county auditor, county treasurer, chairman of the county board of education, in writing and filed with the clerk of court for public inspection, to indemnify the county against loss. *Provided*, further, that the county treasurer is hereby authorized, in his discretion, to use any sinking fund money on hand to buy any of the bonds or notes of the county or any school district thereof. No county funds shall be used for bringing fugitives from the county back into the State, except the amount therefor first be approved by the board of county commissioners.

SECTION 6. The county auditor is hereby authorized, empowered and directed to charge the following levies against all taxable property of the County of Dillon for the fiscal year 1959-1960 for the following purposes: county ordinary, twelve mills; teachers' salaries, thirteen mills; incidental expenses for schools, eight mills; building repairs for schools, six mills; insurance on public school buildings, two mills; and school lunches, one mill, to be used for lunches upon recommendation of county board of education. *Provided*, no dog tax shall be levied.

SECTION 7. The commutation road tax for the year 1959-1960 shall be two dollars and shall so remain at the same annual rate until changed by the Dillon County Delegation in the annual supply act.

SECTION 8. The amounts appropriated herein, under the several items for the several purposes as indicated, are the maximum amounts appropriated for such purposes, and it shall be unlawful for the various county boards or officers to make contract or contracts, for the expenditure of the monies, or the county treasurer to pay any sums in excess of the amount appropriated under such item, unless otherwise provided by law, or without the consent in writing, of a majority of the Legislative Delegation, including the Senator, from

Dillon County. *Provided*, further, that no funds shall be transferred from one appropriation to another without the consent in writing of a majority of the Legislative Delegation, including the Senator, from Dillon County.

The County Commissioners are hereby required to keep a separate account covering the various items of the supply act and not to exceed in expenditure or contract the amount herein provided for each item, and for any such excess allowed or permitted, said officers shall be held liable on their official bonds. The clerk of the County Board of Commissioners shall make monthly statements of expenditures and balances of the different items, both to the board and to each member of the Legislative Delegation from Dillon County. Any contract made in violation of this act shall not be a valid claim against Dillon County.

SECTION 9. The legal office hours for the County of Dillon shall be from 8:30 A. M. to 5 P. M., except Saturdays, when the hours shall be from 8:30 A. M. to 12 noon. *Provided*, further, that all holidays declared legal holidays by the State of South Carolina are excepted from the provisions thereof. *Provided*, further, November eleventh, December twenty-sixth and Thursday during the week which the South Carolina State Fair is held, are hereby designated as legal holidays in Dillon County.

SECTION 10. All funds remaining in the treasurer's accounts, other than appropriated funds, shall be set aside as permanent reserve funds and shall be used subject to the same terms and conditions as apply to county sinking funds. The accountant making the annual audit of the county shall cause such transfers as are necessary to be made in the event such entries have not been made by the office or officer having such funds in his custody. Before charging off any tax execution as *nulla bona*, it shall be the duty of the delinquent tax collector to call in session the members of the board of assessors of the district, or districts, affected, who shall examine all items proposed to be charged off as uncollectible and no such execution or charge shall be eliminated unless it bears the written approval of the board or the members of the district comprising the board in which the charge was made, and the reason for charging off any *nulla bona* item shall be written on the face thereof.

SECTION 11. The Superintendent of Education of Dillon County is hereby authorized and directed to establish and keep complete

records, subject to yearly audit, of all receipts and disbursements of funds of all school hot lunch operations in Dillon County. All school officials receiving or disbursing school hot lunch funds shall submit to the Superintendent of Education of Dillon County monthly reports or statements of their receipts and disbursements of school hot lunch funds.

SECTION 12. The county auditor is hereby authorized and empowered to raise or lower the levies herein provided as may be necessary to meet the appropriations herein made after taking into consideration the other revenues accruing to or to accrue to the county. *Provided*, such change in levy is approved in writing by a majority of the Legislative Delegation, including the Senator, from Dillon County.

SECTION 13. All unexpended appropriated funds in any item of this act shall revert back to the general funds of Dillon County at the end of the fiscal year.

SECTION 14. It shall be the duty of the probate judge to make a charge of one dollar for issuance of certified copies of marriage licenses to a nonresident of Dillon County. All fees collected under this section shall be paid to the Treasurer of Dillon County and credited to the general funds.

SECTION 15. Each month all monies turned over to the county treasurer by the delinquent tax collector shall be distributed equally among the three school districts by the county treasurer, and shall be expended on this basis as directed by the county board of education.

SECTION 18. The Dillon County Legislative Delegation is hereby authorized to have an audit made covering the fiscal year 1959-1960 of any and all offices and departments of Dillon County and shall pay for the same out of the county general fund subject to the approval of a majority of the delegation, including the Senator.

SECTION 19. The Board of County Commissioners of Dillon County shall have no authority to make donations for any purpose.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R287, H1413)

No. 399

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes Of Dorchester County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Provide For The Expenditure Thereof; To Provide For The Borrowing Of Money To Pay The Costs Thereof And To Provide For The Levying And Collection Of Taxes To Pay Loans Made Thereunder.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money, if so much be necessary, be, and the same are hereby appropriated for the purposes herein set forth for the County of Dorchester for the fiscal year beginning July 1, 1959, and ending June 30, 1960, and the Auditor of Dorchester County is hereby authorized to levy and the Treasurer to collect upon all of the taxable property in said county, a tax sufficient to defray the same, after deducting all other available income and revenue.

Item 1. Roads and Bridges—Convicts and Maintenance
of road organization and road equipment\$ 62,000.00

Item 2. Salaries:

Clerk of Court	1,500.00
Clerical Help to Clerk of Court	2,400.00
Clerk in Clerk of Court's Office	2,400.00
Sheriff	3,600.00
Expenses—Sheriff	900.00
Clerical Help to Sheriff	2,400.00
Deputy Sheriff and Jailor	1,200.00
County Treasurer	964.12
Clerk Hire to Treasurer	2,400.00
Clerk Hire to Auditor	2,400.00
County Auditor	964.12
Tax Collector	1,800.00

Clerk to Tax Collector	1,200.00
Legal Advice	500.00
Coroner	600.00
Janitor—Courthouse	1,500.00
Janitor—AAA Office	120.00
Chairman County Board of Directors	2,400.00
Four (4) County Directors @ \$600.00 each ..	2,400.00
Clerk to County Board of Directors	2,400.00
Judge of Probate and Master	2,000.00
Clerk, Probate Judge and Service Officer	1,800.00
Clerical Help—Department of Public Welfare ..	2,400.00
Magistrates and Constables:	
St. George Magistrate	1,200.00
St. George Constable	1,200.00
Ridgeville Magistrate	600.00
Ridgeville Constable	600.00
Harleyville Magistrate	600.00
Harleyville Constable	600.00
Reevesville Magistrate	600.00
Reevesville Constable	600.00
Summerville Magistrate	1,200.00
Summerville Constable	1,200.00
Assistance to Solicitor—First Judicial Circuit ..	200.00
Item 3. County Boards:	
A. Board of Education (Seven Members)	\$ 2,100.00
B. Board of Registration	300.00
C. Board of Assessors	2,700.00
D. Board of Health	5,000.00
The above amount to be expended, if so much be necessary, by the County Board of Health for office equipment, office supplies, biologicals, office rent, heat, lights, water, salaries and for such other purposes as may appear necessary upon written approval of the Dorchester County Leg- islative Delegation.	
E. Forfeited Land Commissioners (2)	1,200.00
Item 4. Jail expenses, including dieting prisoners, \$1.25 per day	
Supplies for Jail	\$ 7,000.00
	200.00

Item 5.	Jurors and Witnesses	\$ 2,400.00
	<i>Provided</i> , that all jurors shall be paid \$5.00 for each day's attendance at court.	
Item 6.	Charities:	
	A. Dorchester County Hospital	\$ 35,000.00
Item 7.	Post Mortems and Lunacy	\$ 1,000.00
Item 8.	Charges for water, fuel, lights and insurance for Courthouse and Jail, the county buildings	\$ 2,400.00
Item 9.	Printing, postage and stationery (this amount shall be expended by the County Board of Directors to pay for printing, postage and stationery for all county officials)	\$ 2,000.00
Item 10.	Miscellaneous:	
	A. Bonds, Premiums for County Officials	\$ 750.00
	B. Expenses, County Attendance Officer	300.00
	C. Expenses, Probation Officer	300.00
	D. For telephone, Courthouse, Jail and Department of Public Welfare Office (including long distance messages in official capacity only)	1,600.00
	E. For medical attention to prisoners in jail	500.00
	F. For Courthouse Improvements and equipment, if so much be necessary	250.00
	G. Vital Statistics	650.00
	H. Expenses for Registrars of Vital Statistics	400.00
	I. Office Rent for County Agents	720.00
	J. Expenses, School Lunch Supervisor	300.00
	J-1. Expenses, director Department of Public Welfare	900.00
	J-2. Expenses, visitors, Department of Public Welfare	1,800.00
	J-3. Expenses, Board Members, Department of Public Welfare; <i>provided</i> , members attend meetings of Board	900.00
	J-4. Emergency Relief, Department of Public Welfare	2,000.00
	J-5. Office supplies, Department of Public Welfare ..	50.00
	K. Office rent for Farm Security Administration ..	420.00
	L. To County Agent for 4-H Club Work	200.00
	M. Demonstration Supplies for Home Agent	75.00
	M-1. Women's Home Demonstration Work	50.00
	M-2. Negro Home Agent, Salary and Travel	720.00

M-3. S. C. Department of Public Welfare, Supplemental Stenographer	300.00
N. County Board of Education Fund	500.00
This fund to be expended by the County Board of Education with the written approval of the Legislative Delegation for high school tuition and any emergencies which may arise.	
N-1. Future Farmers of America, Chapters for Summerville, St. George and Harleyville	250.00
O. Dorchester Tuberculosis Association	1,600.00
P. Insurance, County Building	806.40
Q. Office rent, heat, lights, water, telephone, janitor service, ice, Department of Public Welfare Office	1,080.00
R. Office rent, Superintendent of Education	240.00
S. Salary—St. George Librarian	480.00
T. Salary—Clerk, Home Demonstration Agent ...	960.00
T-1. Payment on X-Ray Equipment, County Health Department	224.83
U. Timrod Literary and Library Association	2,000.00
V. Premium, South Carolina Industrial Commission	2,240.71
W. Harleyville and Ridgeville Public Libraries (\$50.00 each)	100.00
X. National Guard Company Maintenance Fund ..	1,000.00
Y. General Electric Company, X-Ray, Dorchester County T. B. Association	1,082.53
Z. Nu-Idea School Supply Company for supplies for Co. D 118 Inf., National Guard, Summerville	1,254.75
Item 11. A. Salary, Deputy Sheriffs (to be appointed by Sheriff of Dorchester County) 3 @ \$300.00 each per month	\$ 10,800.00
B. Law Enforcement, Sheriff's Office	600.00
C. Vocational Agricultural Program	850.00
D. Rent, School Lunch Warehouse	300.00
E. Rent, Summerville Magistrate	300.00
F. Travel, County Service Officer	600.00
G. Town of Harleyville Law Enforcement	900.00
H. Town of Ridgeville Law Enforcement	600.00
I. Town of Reevesville Law Enforcement	300.00

Item 12. Contingent Fund\$ 20,000.00

The above amount is hereby appropriated to meet any unforeseen contingencies, which may arise during the year in the operation of the county government. The same shall be expended upon the written authorization of the Legislative Delegation for Dorchester County, directed to the Chairman of the Board of Directors and Treasurer of the said County.

A. For Dorchester County Circulating Library ...\$ 3,600.00

The above amount, together with the amount of money heretofore appropriated for Dorchester County circulating library, to be expended by the County Board of Directors upon the written approval of the Legislative Delegation for Dorchester County.

Item 13. Bonded Indebtedness:

- (1) The necessary amount is hereby appropriated to meet the payment of principal and interest maturing during the fiscal year beginning July 1, 1959, and ending June 30, 1960, on all bond issues and other indebtedness now outstanding against the County of Dorchester.
- (2) The County Treasurer is hereby empowered to borrow during the fiscal year beginning July 1, 1959, and ending June 30, 1960, to the extent of the tax levy and any other income or revenue of the said county, if so much be necessary, upon his note or notes, and is empowered to pledge as security such money borrowed and interest thereon, the taxes of the year 1959, together with any other income or revenue of said county for the year 1960.
- (3) The County Treasurer is hereby authorized and directed to borrow from the Summerville Bank the sum of thirteen thousand eight hundred dollars, with interest at four per cent, payable two thousand dollars with interest on the first day of May, 1961, and a like amount of interest on the first day of May of each succeeding year

thereafter until the first day of May, 1965, at which time the entire balance of both principal and interest shall be due. Said treasurer is hereby authorized to execute a county note pledging the full faith and credit of the county for the payment thereof. Said money is to be used for the payment of an X-Ray machine for the County Hospital.

- (4) The County Auditor and County Treasurer are hereby required and authorized to collect three dollars per head from all persons liable for road work commutation tax.
- (5) All drafts and warrants issued by the County Board of Directors upon the County Treasurer for the period beginning July 1, 1958 and ending June 30, 1959, the payment of which was authorized by the Dorchester County Delegation to the General Assembly, are hereby approved and confirmed.

SECTION 2. In case of a vacancy by death, resignation or otherwise in the office of any magistrate, constable or other officer of Dorchester County the salary, expenses and other emoluments shall only be paid to a successor who has been recommended for appointment by the Senator and the member of the House of Representatives from Dorchester County.

SECTION 3. The Treasurer of Dorchester County is hereby authorized and empowered to borrow such sum or sums of money as may be necessary for the operating expenses for Dorchester County for the fiscal year beginning July 1, 1959, and ending June 30, 1960, and to pledge as security for the payment of any sum or sums, borrowed under this authorization any part or all of the bonds or other securities held and owned by the county. The securities herein authorized to be pledged are in addition to the tax levy pledged and/or authorized to be pledged in this Supply Act.

SECTION 4. Upon the written approval of the Legislative Delegation for Dorchester County, the Trustees of each of the School Districts of Dorchester County are hereby authorized and empowered to borrow such sums of money as are necessary for the operating expenses of the said schools for the 1959-1960 school year and to

pledge as security for the payment of any sum or sums borrowed under this authorization the taxes levied upon said school districts for general operating expenses for the school year 1959-1960.

SECTION 5. All bills presented to the County Board of Commissioners of said county shall be itemized.

SECTION 6. The purchase of any materials or supplies for any county officials or agents of Dorchester County in excess of one hundred dollars must be first approved by the County Board of Directors.

SECTION 7. Appropriations for State Aid for Teachers' Salaries, and all other school district, county and State appropriations for the operation of the public school system, shall cease and become inoperative for any school from which, and for any school to which, any pupil may transfer pursuant to, or in consequence of, an order of any court, for the time that the pupil shall attend a school other than the school to which he was assigned before the issuance of such court order.

SECTION 8. Notwithstanding any provisions of Act No. 485 of 1949 to the contrary, all persons sentenced to the public works of Dorchester County shall be subject to the sole jurisdiction of the County Board of Directors and subject to their orders, care and keeping.

SECTION 9. All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R294, S261)

No. 400

An Act To Authorize The Town Of Summerville To Convey By Quitclaim Deed To Clifton S. Jones Its Right Or Claim To Certain Property In The Town Of Summerville.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Summerville in Dorchester County to convey property.—The Town of Summerville is hereby authorized and empowered to grant and convey by quitclaim deed for such consideration, nominal or otherwise, as the Town Council may determine, to Clifton S. Jones all the following described land:

“All that certain piece, parcel or lot of land; situate, lying and being in the Town of Summerville, in the County of Dorchester and State of South Carolina, at the northern corner of the intersection of Third North Street and Main Street; and butting, bounding and measuring, as follows, to wit: Northeast, on lands of F. B. Meyer, Seventy-Six and Seven-Tenths (76.7) Feet; Southeast, on the present right-of-way of Main Street, One Hundred Eighteen and Two-Tenths (118.2) Feet; Southwest, on Third North Street, Sixty-Nine and One-Tenth (69.1) Feet; and Northwest, on lands of Clifton S. Jones, One Hundred Eighteen (118) Feet.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R295, S262)

No. 401

An Act To Authorize The Town Of Summerville To Convey By Quitclaim Deed To Herbert F. Dunning Its Right Or Claim To Certain Property In The Town Of Summerville.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Summerville in Dorchester County to convey property.—The Town of Summerville is hereby authorized and empowered to grant and convey by quitclaim deed for such consideration, nominal or otherwise, as the Town Council may determine, to Herbert F. Dunning, all the following described land:

“All that Piece, Parcel or Lot of Land; Situate, Lying and Being in the Town of Summerville, in the County of Dorchester and State of South Carolina; and Butting, Bounding and Measuring,

as follows, to wit: Northeast, on lands now, or formerly, of Kelley and Masterman, Seventy-Four and Five-Tenths (74.5) Feet; Southeast, on the present right-of-way of Main Street, One Hundred and Twenty-Two (122) Feet; Southwest, on lands on John H. Pratt, Seventy-One and Five-Tenths (71.5) Feet; and Northwest, on other lands of the said Herbert F. Dunning, One Hundred and Twenty-One (121) Feet.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R377, S299)

No. 402

An Act To Authorize The Town Of Summerville To Convey By Quitclaim Deed To Herbert F. Dunning, All Of Its Right, Title And Interest In Certain Property In The Town, On The Northwest Side Of Main Street Between First North And Second North Streets.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Summerville to convey certain property.— The Town of Summerville is hereby authorized and empowered to grant and convey by quitclaim deed for such consideration, nominal or otherwise, as the Town Council may determine, to Herbert F. Dunning, all the following described land :

All that piece, parcel or lot of land; situate, lying and being in the Town of Summerville, in the County of Dorchester and State of South Carolina; and butting, bounding and measuring, as follows, to wit: northeast, on lands now, or formerly, of Kelley and Masterman, seventy-four and five-tenths feet; southeast, on the present right-of-way of Main Street, one hundred and twenty-two feet; southwest, on lands of John H. Pratt, seventy-one and five-tenths feet; and northwest, on other lands of the said Herbert F. Dunning, one hundred and twenty-one feet.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R555, H1623)

No. 403

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Edgefield County For The Fiscal Year Beginning July 1, 1959, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The following appropriations are hereby made for operation of Edgefield County for the year beginning July 1, 1959 and ending June 30, 1960:

Item 1. Maintenance of chain gang, bridges, roads and buildings	\$ 37,000.00
Item 2. Clerk of Court's Office:	
(a) Clerk of Court's Salary	\$ 1,440.00
(b) Deputy Clerk of Court's Salary	2,280.00
Item 3. Sheriff's Department:	
(a) Sheriff's Salary	\$ 4,020.00
(b) Clerical help for Sheriff	2,040.00
(c) Two Deputy Sheriffs at \$3,420.00 each	6,840.00
(d) Uniforms for Deputy Sheriffs	400.00
(e) Maintenance and automobile expenses, radio repairs and upkeep for Sheriff's Department, if so much be necessary	3,000.00
<i>Provided</i> , the Sheriff or Deputy Sheriffs shall serve warrants for the magistrates.	
<i>Provided</i> , further that the sheriff shall provide means of transportation for the tax collector two days per week if necessary.	
Item 4. Auditor (County's part):	
(a) Auditor's Salary	\$ 1,200.00
(b) Clerical help for Auditor	2,280.00
Item 5. Treasurer (County's part):	
(a) Treasurer's Salary	\$ 1,200.00
(b) Clerical help for Treasurer	2,280.00

Item 6. Supervisor's Office:	
(a) Supervisor's Salary	\$ 3,432.00
(b) Clerk to Board of County Commissioners	2,280.00
(c) Two County Commissioners at \$504.00 each ..	1,008.00
Item 7. Attorney, Salary	\$ 720.00
Provided the County Attorney shall represent the County and any of its subdivisions in all mat- ters without additional compensation.	
Item 8. Tax Collector, Salary	\$ 2,880.00
Clerical help to Tax Collector	600.00
Item 9. Coroner, Salary	\$ 720.00
Item 10. Judge of Probate's Office:	
(a) Judge of Probate's Salary	\$ 1,440.00
(b) Clerical help for Judge of Probate	2,040.00
Item 11. Magistrates:	
(a) Magistrate of First District	2,040.00
(b) Magistrate of Second District—Trenton	660.00
(c) Magistrate of Third District—Johnston	1,080.00
(d) Magistrate of Fourth District	300.00
(e) Magistrate of Fifth District	600.00
<i>Provided</i> , that no magistrate in Edgefield Coun- ty shall receive his salary, unless and until, he shall have filed a statement with the County Treasurer showing all cases handled and the dis- position thereof.	
Item 12. Janitors:	
(a) Janitor for Courthouse	\$ 1,200.00
(b) Janitors for Agricultural and Health Center Buildings	1,200.00
Item 13. Jurors and Witnesses	\$ 4,000.00
Item 14. Post Mortems, Inquests and Lunacy	\$ 600.00
Item 15. Telephone and Telegraph	\$ 2,000.00
Item 16. Printing, Postage and Stationery	\$ 2,500.00
Item 17. Burial of County Poor	\$ 100.00
Item 18. Premiums on bonds for County Officers	\$ 1,000.00
Item 19. Water, Heat, Lights and Fuel for County Build- ings, including heat for the two National Guard Armories	\$ 4,500.00
Item 20. Welfare Department:	
(a) Department of Public Welfare Board Members \$	324.00

(b)	For aid to Class Four of Public Welfare State Appropriation for use in Edgefield County . . .	500.00
(c)	Department of Public Welfare for emergency purposes	300.00
Item 21.	Dieting of prisoners in County Jail	\$ 2,000.00
Item 22.	Boys' 4-H Club Work	\$ 100.00
Item 23.	Girls' 4-H Club Work	\$ 100.00
Item 24.	Farm Agent's Office:	
(a)	Contingent Fund, for Farm Agent	\$ 100.00
(b)	Demonstration Supplies for County Home Agent	100.00
Item 25.	County Service Officer:	
(a)	County Service Officer's Salary	\$ 4,200.00
(b)	Clerk to Service Officer	2,040.00
Item 26.	Jailer, Salary	\$ 840.00
Item 27.	National Guard:	
(a)	Johnston National Guard	\$ 600.00
(b)	Edgefield National Guard	600.00
Item 28.	Insurance on County buildings and premiums for insurance, County employees' workmen's compensation fund	\$ 3,000.00
Item 29.	Social Security on County employees (County's part)	\$ 1,400.00
Item 30.	Retirement on County employees (County's part)	\$ 2,500.00
Item 31.	Publishing County statements in both County newspapers	\$ 480.00
Item 32.	Repairing and maintaining County machines in various County offices	\$ 300.00
Item 33.	Office equipment, office supplies, box rents and miscellaneous expenses	\$ 2,000.00
Item 34.	Widows of Confederate Veterans	\$ 120.00
	The widows of Confederate Veterans residing within the County of Edgefield shall be paid the sum of ten dollars per month by check of the County Supervisor, after their status as such widows of Confederate Veterans has been determined by the Probate Judge of Edgefield County and such determination transmitted by the Judge of Probate to the Supervisor.	

Item 35. (a) County Health Department (County's part)	\$ 4,500.00
(b) Hospital Charity Fund	3,500.00
Item 36. Contingent Fund	\$ 10,000.00
To be expended upon written approval of the Legislative Delegation.	
Item 37. Auditing the county affairs, 1959-1960	\$ 500.00
Item 38. Superintendent of Education, travel expense. \$	1,200.00
Item 39. County Board of Tax Assessors	\$ 10,000.00
Item 40. Farm Agents Office:	
(a) County Agent Supplement	\$ 600.00
(b) Home Demonstration Agent Supplement	240.00
Item 41. Edgefield Dairy Breeders Association (for last six months of fiscal year of 1959)	450.00
GRAND TOTAL	\$153,474.00

SECTION 2. The board of county commissioners is hereby authorized to divide the expenditures of such appropriations in monthly payments as nearly as practicable, and borrow money, if necessary in sufficient sums to meet the expenses of the year 1959-1960.

SECTION 3. The jailor of the county shall be appointed by the sheriff and shall serve at the pleasure of the sheriff; and shall receive one dollar per day for dieting each prisoner, to be paid out of the fund for dieting prisoners and jail.

SECTION 4. The court crier, jurors, jury boy and bailiffs shall receive seven dollars per day for each day's service in attendance upon court.

SECTION 5. In addition to the other costs and fees now allowed by law to the Probate Judge of Edgefield County for his services, he shall be entitled to the fees allowed him by law for issuing marriage licenses.

SECTION 6. No gasoline or oil purchased by the county shall be used by any officer except the county supervisor, who shall also have the use of a county-owned and maintained automobile. The gasoline, oil and automobile are to be used exclusively for county purposes.

SECTION 7. All payments herein provided for shall be made direct to the person receiving same.

SECTION 8. No telephone shall be maintained by the county except with the written approval of the county supervisor and at least one commissioner, and all long distance calls charged to county phones must be itemized and presented to the county supervisor's office before bill will be paid.

SECTION 9. No office supplies, postage or stationery, or fuel for any county office shall be bought except through the county supervisor who shall authorize all purchases, keeping an itemized statement of the same, for which office bought, and shall furnish a statement of items each month to the county board and shall authorize no purchase beyond the appropriation herein provided.

SECTION 10. No office equipment, furniture and fixtures shall be bought except upon the written approval of the county supervisor and at least one commissioner.

SECTION 11. No property shall be rented for the use of the county, or any department thereof except with the written permission of the county supervisor and at least one commissioner.

SECTION 12. All purchases for gang, road, bridges, buildings and their maintenance, of any kind whatsoever, must be made by the supervisor personally, or on his written order; *provided*, that no item costing over one hundred dollars shall be bought by the supervisor without the written consent of at least one of the county commissioners.

SECTION 13. No tractors, trucks, scrapes, wagons, scoops or any kind of road machinery can be purchased with county funds or sold without the written consent of the county legislative delegation.

SECTION 14. The fee that may be charged by the Clerk of Court of Edgefield County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on crops growing or to be grown or personal property and made to any corporation organized under the Acts of Congress, known as the Farm Credit Act of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumen-

tality or office thereof, shall be one dollar; and a copy or duplicate of such instrument shall be furnished to the recording officer. The fee that may be charged by the Clerk of Court for search and a certificate or priority liens on crops for each loan shall be fifty cents; *provided*, that Edgefield County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1952.

The fee for recording a deed to real estate when the number of words does not exceed one thousand shall be one dollar and fifty cents, and when the number of words exceeds one thousand it shall be at the rate of fifteen cents per hundred words.

SECTION 15. The county legislative delegation shall have the right at any time to alter any of the salaries or appropriations herein, *provided*, the alteration shall be in the form of a letter addressed to the proper authorities and signed by both members of the delegation.

SECTION 16. The amounts provided for herein for the several purposes shall be expended for the purpose stated and none other, and any unexpended balance on hand at the expiration of the period herein provided for shall revert to the general funds of the county. No county funds shall be expended for any purpose unless such expenditure is specifically authorized by the provisions of this act, or by the written authorization of the members of the Edgefield County Delegation.

SECTION 17. In the event it should be determined by the proper authorities that the amount herein appropriated for any purpose is insufficient, then the supervisor is directed to notify the legislative delegation and the legislative delegation shall have the authority to transfer sufficient funds to take care of same, and the legislative delegation shall have the authority to transfer from the county surplus funds or any other fund, such sum or sums as in the opinion of the legislative delegation may be in the best interest of the county.

SECTION 18. All funds received from the State Forestry Commission shall be placed by the Treasurer of Edgefield County to the credit of the general funds of the county.

SECTION 19. Each and every claim drawn against the county and to be paid under the provisions of this act shall be marked as to what fund or account it is to be paid and charged against, and the records of the supervisor's office shall be set up by having a separate and distinct page for each item and account contained herein.

SECTION 20. The miscellaneous account herein set up shall be spent only upon the written approval of the County Legislative Delegation.

SECTION 21. The allotment of office space in the courthouse to the various officers and departments shall be made by the supervisor who shall have complete charge of the courthouse.

SECTION 22. All funds not herein specifically appropriated or designated for some special purpose which may now be in the hands of the treasurer or may hereafter come into the hands of the treasurer shall be placed in the general funds of the county.

SECTION 23. All officers and employees of Edgefield County shall be entitled to those holidays set forth in Sections 64-151 and 64-152, Code of Laws of South Carolina, 1952.

SECTION 24. All monies accruing to the county from beer, wine and whiskey licenses and taxes shall be placed to the credit of ordinary county fund.

SECTION 25. No county-owned automobile or truck shall be used for any purpose other than county business.

SECTION 26. County offices shall remain open from nine until five o'clock Monday through Friday of each week and on Saturday shall remain open from nine until twelve o'clock, except for the office of the county superintendent of education, which office shall remain open from 8 to 4 o'clock Monday through Friday of each week, and on Saturday shall remain open from 8 to 12 o'clock.

SECTION 27. All acts or parts of acts inconsistent herewith are repealed.

SECTION 28. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

From The General Fund Of The County And To Provide For Its Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Wateree Watershed Conservation District in Fairfield County may borrow money — repayment. — The Wateree Watershed Conservation District, in Fairfield County, is hereby authorized to borrow the sum of one thousand dollars from the General Fund of Fairfield County, which loan shall be repaid in ten equal annual installments of one hundred dollars each and shall bear interest at the rate of three per cent per annum. As evidence of the loan, the board of directors shall execute a note or notes which shall be prepared by the county attorney. The loan provided for herein shall be paid from the proceeds of taxes levied in the district. The first payment shall be made January 1, 1961, and annually thereafter until paid.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R342, H1665)

No. 405

An Act To Authorize And Empower The Board of Trustees Of The School District Of Fairfield County To Borrow Not Exceeding One Hundred Seventy-Five Thousand Dollars To Be Used For Building, Repairing And Improving Public School Buildings In Fairfield County And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Trustees of Fairfield School District may borrow money—issue notes—interest—maturity—pledge.—The Board of Trustees of the School District of Fairfield County is hereby authorized and empowered to borrow a sum not exceeding one hundred seventy-five thousand dollars from any bank or banks or other

financial institution or financial institutions or other agency or agencies it may select for use in the building, repairing and improving of public school buildings in Fairfield County. The amount or amounts borrowed shall be evidenced by a note or notes to be executed jointly by the Chairman of the Board of Trustees of the School District of Fairfield County, County Treasurer and County Superintendent of Education. Such note or notes shall bear interest at the best available rate, not to exceed four percent per annum from the date thereof, the interest to be paid annually on January fifteenth. Such note or notes shall mature upon such date or dates as the board of trustees shall determine but not later than twelve years from the date of issue. The full faith, credit and taxing power of Fairfield County is hereby irrevocably pledged to the repayment of the interest and principal of the note or notes issued hereunder.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R561, H1808)

No. 406

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes And For Support Of The County Chain Gang For Fairfield County For The Fiscal Year Beginning July 1, 1959 And Ending June 30, 1960, And For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of ten mills, if so much be necessary, is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1959, and ending June 30, 1960, which, together with the other county income, shall be used to pay the expenses of operating the county as provided herein. All county property must be marked as property of Fairfield County.

SECTION 1-A. The auditor is directed to levy and the treasurer to collect a tax of one mill on all taxable property in the County of

Fairfield to be credited to the Fairfield Memorial Hospital operating fund. This to be in addition to the levy that might be directed by the Hospital Board.

Item 1. Roads and Bridges\$ 65,000.00

Provided, that all goods and supplies purchased by the board of county commissioners for the county must not be bought other than by competitive bids and, further, that all equipment and supplies exceeding \$400.00 shall be advertised in the newspaper published in the county.

Provided, however, in cases of emergency where repair parts are necessary to restore county-owned motor vehicles and road machinery to operation, such parts may be purchased by the board of county commissioners or the supervisor without first obtaining such bid or bids. *Provided*, further, that no road machinery or equipment shall be purchased or disposed of without the written consent of the legislative delegation. That under the direction of the Board of County Commissioners of Fairfield County, the county supervisor shall devote his entire time to the construction, maintenance and repairs of the roads and bridges of the county.

Provided, further, that all county road machinery and county trucks and motor vehicles shall be plainly marked with letters of substantial size on both sides of the vehicles as follows: "Property of Fairfield County".

Provided, further, that no more than one-half the above amount may be expended or obligated to be spent prior to January 1, 1960.

Item 2. Salaries:

Clerk of Court\$ 450.00

For use by clerk of court in keeping courthouse yards and grounds 50.00

The clerk of court shall be the custodian of the yards and grounds of the courthouse and is charged with the duty of keeping same properly planted and landscaped. He may call upon the

supervisor for labor and assistance in this work when deemed necessary.

Clerk hire for Court 600.00

Sheriff 4,085.00

Provided, that the sheriff shall be the custodian of gas, oil, tires and equipment purchased by the county, including automobiles which shall be purchased for use of sheriff's office and rural police. The jailer shall be the dispenser of the supplies and shall keep records of the supplies and materials dispensed, so as to indicate mileage, dates and amounts, and the jailer shall perform these duties under the direction of the sheriff.

Jailer 2,250.00

Assistant Jailer for night duty 1,200.00

Uniforms for Jailer (1/12 monthly) 150.00

Provided, that the insignia of the office shall be affixed upon such uniforms.

Provided, further, that the jailer shall be a competent, able-bodied person and fully capable of performing the duties of his office.

Provided, further, that the jailer shall furnish the usual surety bond required of other county police officers.

Provided, that the jailer shall be a person qualified to operate the station radio and keep adequate and proper records concerning operation of radio and the dispensing of supplies and materials to county officers' vehicles.

Clerk to Sheriff 2,250.00

Provided, that the clerk shall operate the base radio in conjunction with the jailer during office hours, in addition to his other duties.

Provided, the clerk to the sheriff is hereby charged with the duties as caretaker of the courthouse and shall be furnished two prisoners to assist him in this work; *provided*, that the janitor of the courthouse may also be designated as janitor of the County Library Building.

The County Board of Commissioners, for operation of the tax collector's office and for the payment of salaries, current expenses and such stenographic or clerical hire as the commission may deem necessary, with the clerk to receive not less than \$35.00 per week		4,620.00
Travel for Tax Collector	600.00	
Clerk to Clerk of Court	2,400.00	
Clerk to Probate Judge	750.00	
Deputy Sheriffs, 3 @ \$3,300.00 each	9,900.00	
<i>Provided</i> , that one of the deputies shall be stationed at and shall have his primary duties at the Winnsboro Mill Village community, and such deputy shall be assigned a county-owned police car.		
Rural Police, 2 @ \$3,300.00 each	6,600.00	
Uniforms for Deputies and Rural police, same to be purchased by Rural Police Commission, not to exceed	900.00	
Auditor—to receive a portion of his salary from State funds	1,270.00	
Auditor—Clerk Hire	2,400.00	
<i>Provided</i> , clerk to Auditor shall be full time.		
Treasurer—to receive a portion of his salary from State funds	1,270.00	
Clerk to Treasurer	1,700.00	
Attorney	500.00	
Coroner	950.00	
Travel for Coroner	150.00	
Supervisor	3,250.00	
Clerk—Board of County Commissioners	3,000.00	
Clerk for additional work with Retirement Records, Social Security and Hospitalization Insurance	660.00	
Stenographer to County Agent	450.00	
Stenographer to Home Demonstration Agent ..	60.00	
Judge of Probate	1,500.00	
Secretary to Delegation	500.00	

Item 3. Expenses of County Officers:

Supervisor's car	\$ 1,000.00
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The School Lunch Supervisor and Attendance Teachers shall be under the supervision and control of the Board of Education.

County Board of Commissioners 2,520.00

Provided, that the Chairman of the County Board of Commissioners shall receive six hundred dollars per year, and each commissioner four hundred eighty dollars per year.

Item 4. Insurance Fund\$ 4,000.00

The above amount shall be appropriated from the general fund of Fairfield County and transferred to an account designated as "Insurance Fund" to be held by the county treasurer. The county treasurer^c is directed to maintain this fund in a separate account and add to it at the end of each fiscal year any unexpended balance under this item remaining at that time. The county treasurer, upon the approval of the county attorney, is authorized to invest this fund in securities which are approved under the law of this State for investment of trust funds or funds held by fiduciaries. This fund shall be held to satisfy legal claims against Fairfield County arising out of or through liability incurred by Fairfield County resulting from the operation of Fairfield County controlled motor vehicles. The Fairfield County Board of Commissioners is hereby authorized to pay all liability claims incurred by Fairfield County, when approved first by the county attorney, or to satisfy a judgment rendered by a court of competent jurisdiction against Fairfield County arising out of the operation of Fairfield County owned motor vehicles. A full accident report shall be made immediately to the county attorney and the County Board of Commissioners by the head of every department or county official whenever any motor vehicle under county control, operated by his department, shall be involved in an accident involving any personal injury or damage to property.

Provided, further, that the treasurer shall be and is authorized to borrow from this fund to meet general county expenses pending the collection of taxes, and after the collection of taxes, if such money be needed.

Item 5.	County Health Unit	\$ 4,700.00
Item 6.	Magistrates	\$ 6,400.00
	Eight Constables for Magistrates—\$200.00 each	1,600.00
	Extra Constables for work with sheriff's office at his request	1,000.00
Item 7.	County Boards:	
	Board of Equalization	\$ 700.00
Item 8.	Jail Expenses	\$ 4,000.00
Item 9.	Jurors and Witnesses and Court Expenses	\$ 4,500.00
	Court Crier shall receive \$7.00 per day.	
Item 10.	Post Mortems, Inquests and Lunacies	\$ 700.00
	<i>Provided</i> , that inquests shall be held upon a written request of three reputable citizens and the request shall be filed with the coroner, or if in judgment of the coroner an inquest is justified or needed.	
	<i>Provided</i> , that coroner's jurors shall receive \$1.00 per day.	
Item 11.	Public Buildings, including water, fuel, lights and insurance	\$ 13,500.00
	Workmen's Compensation premium shall be paid from this appropriation.	
Item 12.	Printing, Postage and Stationery	\$ 3,000.00
	<i>Provided</i> , printing, postage and stationery for the Board of Education and school use shall be paid for by the Board of Education out of the board's funds.	
Item 13.	Farm and Home Demonstration	\$ 500.00
	County 4-H Club Work	200.00
	County Farm Demonstration and 4-H Club Work (colored)	300.00
Item 14.	Home Demonstration Work (colored)	\$ 400.00
Item 15.	Fingerprinting and Law Enforcement	\$ 50.00
Item 16.	Janitor for courthouse	\$ 900.00
	The janitor shall be hired by and shall be under the supervision and control of the clerk to the sheriff (caretaker of the courthouse).	

Item 17.	Janitor for County Library	\$ 300.00
Item 18.	Future Farmers of America, Livestock Show . .	\$ 350.00
Item 19.	Armory maintenance	\$ 600.00
Item 20.	For supplies and maintenance of county-owned or leased vehicles used in law enforcement	\$ 4,500.00
	<i>Provided</i> , the above sum shall be paid upon ap- proval of the sheriff. The County Rural Police Commission shall secure bids by public notice and shall be responsible for purchasing such supplies and equipment.	
Item 21.	Board of Public Welfare	\$ 1,000.00
	<i>Provided</i> , that this sum shall be paid to the Di- rector of the Board of Public Welfare for use in extreme emergencies, and for indigent cases involving out of county hospitalization and medi- cines and paupers' burial.	
Item 21-A.	The County Board of Public Welfare is here- by authorized and directed to expend the follow- ing appropriation for supplemental salaries for the director and employees of the Welfare De- partment	\$ 2,000.00
Item 21-B.	Members of the Board of Public Welfare for Fairfield County shall receive \$5.00 per meeting for each meeting attended	\$ 200.00
Item 22.	Rural Police Commission	\$ 75.00
	<i>Provided</i> , that each commissioner who shall at- tend a regular meeting of the commission, or a special meeting of the commission, shall receive \$5.00 for such attendance. The appropriation set forth above shall be solely for the \$5.00 attend- ance and paid only to those members in attend- ance at such meeting.	
Item 23.	Magistrate Jurors (\$1.00 per day)	\$ 200.00
Item 24.	Fairfield Chamber of Commerce	\$ 1,500.00
	<i>Provided</i> , the sum herein appropriated shall be used for advertising of Fairfield County and the solicitation of industry to locate in Fairfield County, and for research, planning and develop- ment of the county.	

Item 30. Service Officer's Office :

\$3,900.00 of the appropriation herein below provided for shall be paid by the State and the remainder from County Funds.

Service Officer—Salary	\$2,400.00
Mileage	900.00
Clerk to Service Officer	1,680.00

Total for Office

\$4,980.00
The expenses of this office, other than travel and salaries, shall be paid out of Item 11.

Appropriation from County Funds for above ..\$ 1,080.00

Item 31. Hospitalization Insurance—County employees ..\$ 3,000.00

Item 32. County Agent, Salary Supplement\$ 150.00

Assistant County Agent, Salary Supplement ... 150.00

Item 33. For costs and investigations to encourage new industry for the county, to be expended upon the approval of the entire delegation\$ 1,000.00

Item 34. For purchase of portable transistor unit for use in rescue and safety by South Carolina Rescue Squad in and upon the waters in and about Fairfield County\$ 370.00

TOTAL\$185,910.00

SECTION 1-B. A tax of two mills is levied upon all the taxable property in the County of Fairfield for the fiscal year beginning July 1, 1959, and ending June 30, 1960, to be collected and paid over to the Fairfield County Board of Education to be applied to the retirement of existing bonded debt.

SECTION 2. So much of the amount hereinabove appropriated for the County Health Unit under Item 5 shall be expended as may be necessary to meet the requirements established under the State Appropriation Act for Health Department work. This fund shall be expended under the following provisions: *Provided*, that the physician to be employed shall be a graduate of a regular medical college and skilled in hygiene and sanitary science, the physician shall be designated County Health Officer, and shall perform all such duties as may be imposed upon him by the sanitary laws of the State and shall discharge all the duties of County Physician; and that a trained public nurse shall be employed who shall devote her

whole time to public works in Fairfield County, and such other workers as may be found necessary and desirable to properly carry out a public health program; *provided*, however, that as far as possible a medical inspection of all school children in Fairfield County shall be made by the physician in charge and that all trustees and principals shall give every assistance in carrying out this program; *provided*, further, that this appropriation is contingent upon the full compliance with this section.

SECTION 3. The salaries of the magistrates in the various districts for the fiscal year beginning July 1, 1959, and ending June 30, 1960, are hereby fixed as follows:

Magistrates at Winnsboro and Winnsboro Mills, twelve hundred and one thousand dollars, respectively, per year;

Magistrates at Ridgeway, Mitford, and Greenbrier eight hundred dollars;

Magistrates at Jenkinsville, Feasterville, Jackson Creek, six hundred dollars each.

SECTION 4. All warrants drawn on county funds shall specify on what fund they are drawn, and no warrant shall be drawn on any fund other than specified in this act.

SECTION 5. The Sheriff of Fairfield County shall receive not exceeding one dollar per day for dieting prisoners. The sheriff shall be allowed a turnkey fee of fifty cents per prisoner actually committed to and confined within the jail. *Provided*, that in the case of all temporary prisoners committed by the Town of Winnsboro, the turnkey fee shall be paid by the town.

SECTION 6. All funds now in the hands of the treasurer and all funds that may come into his hands during the year 1959-1960, and monies in the hands of the treasurer received by the collection of tax executions during the year 1959-1960 are hereby transferred and made a part of the contingent fund. All funds of the county on hand July 1, 1959, by reason of unexpended balance of appropriations for the period ending June 30, 1960, are likewise made a part of the contingent fund. No part of the contingent fund shall be spent except on an order or orders signed by the Senator and the other member of the Legislative Delegation of Fairfield County. Approval of such appropriations shall be made only at a meeting of the entire legislative delegation. *Provided*, however, in the event there is an absence of either the Senator or the House Member,

then the other member of the delegation is authorized to approve such appropriation. At least one such meeting shall be held once each calendar month.

SECTION 7. The county board of commissioners is hereby directed to assume the office of Budget Officer for Fairfield County as part of their duties as county commissioners, and they are hereby authorized to reduce the appropriations for the various items in this act whenever they see that the revenue will not be available to meet the required appropriations.

SECTION 8. The sum of five hundred dollars shall be placed to the credit of the Farm Demonstration Agent, to be used by him for prizes for the boys' and girls' clubs, and to be divided between such annually. He is directed to file at the end of the year with the county board of commissioners a statement showing how such funds are expended. The appropriation hereinbefore provided for prizes for the Future Farmers of America Livestock Show shall be withdrawn only on proper request submitted to and approved by the County Farm Demonstration Agent, who shall file at the end of each year with the county board of commissioners an itemized statement showing how such funds were expended.

SECTION 9. In the event the clerk of court or judge of probate should have, in their official capacity, any funds which have been unclaimed for as long as seven years, they are hereby authorized to pay the same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received as a part of the fund for ordinary county purposes.

SECTION 10. The county board of commissioners shall fix the salary of the superintendent of the county chain gang, to be paid out of the appropriation for Item 1, and all chain gang employees likewise shall have their salaries set by the board.

SECTION 11. All orders or warrants upon the county treasurer in the payment of approved claims shall be signed by the chairman of the board of county commissioners, attested by the clerk of the board.

SECTION 12. There is hereby levied a tax of one mill upon all of the taxable property in the county, the proceeds of which are to be used for the operation and maintenance of the Fairfield County Library. The auditor of the county is directed to levy, and the

treasurer to collect, such tax, in like manner as other taxes are collected.

SECTION 13. The county board of commissioners, out of the appropriations for public buildings and insurance, shall draw a warrant in favor of the caretaker of the courthouse for twenty dollars, the sum to be used by him as a petty cash fund to buy minor supplies, the fund to be accounted for by him to the county board.

SECTION 14. The full-time clerks for the county auditor and county treasurer's offices, as herein provided, shall be competent persons and capable of carrying on the duties of each office in the absence of the auditor and treasurer.

SECTION 15. The treasurer is hereby authorized and directed to place all taxes which were collected for purposes set forth in Section 15 of the 1952 Fairfield County Appropriation Act into the general fund, and is further directed to place any such taxes which might hereinafter be collected for the funds, which taxes are now all delinquent, into the general fund upon their collection.

SECTION 16. The county, or any subdivision thereof, or any person purchasing on behalf of the county, shall not buy any item over one hundred dollars without first receiving competitive bids and, in the event the item shall cost more than four hundred dollars, request for bids shall be advertised in the newspaper published in the county; *provided*, however, that if the item to be purchased is the only one of its kind and there are no competitive sellers or manufacturers, then advertisement shall not be necessary.

SECTION 17. Before any carnival, road show or circus shall be allowed to operate or set up for operation in the County of Fairfield, they shall pay a license fee to the Clerk of Court for Fairfield County in the amount of one hundred twenty-five dollars a week, or, on a daily basis, the sum of twenty-five dollars. *Provided*, however, that such must be sponsored by a recognized civic organization. In the absence of such payment, the carnival, road show or circus shall not be allowed to set up in the county. *Provided*, further, that no carnival, road show or circus shall be allowed to operate that is accompanied by fortune-tellers, or any games of chance. The clerk shall turn over the license fee so collected to the treasurer who shall credit same to the general fund.

SECTION 18. The treasurer is hereby authorized and directed to pay from the general fund of the county to any insurance company

selected by the county board of commissioners, for the purpose of hospitalization and life insurance policies for county employees, not to exceed the amount appropriated in Item 31.

SECTION 19. The hawkers' and peddlers' license for nonresidents, as required by law, to do business in Fairfield County shall be as follows:

Those selling, or offering for sale, furniture \$	200.00;
Those selling dry goods	150.00;
Those selling jewelry and novelties	100.00;
Those picking up laundry	25.00; and
Those picking up dry cleaning	25.00; <i>provided,</i>

that if this service is not available by or through a local laundry or dry cleaning establishment, this license shall not be required. Neither shall the license be required where laundry and dry cleaning are left with a resident storekeeper or agent to be picked up.

All other licenses shall be \$25.00, except ice delivery.

Provided, that licenses shall be from July first of a year to July first of the following year. The licenses now in effect shall be effective until they expire, at which time the clerk shall charge a pro rata license fee until the following July first if renewal is applied for. The clerk shall issue new applications until the following July first on a pro rata cost basis, and all renewals of licenses shall be from July first to July first after the initial application is made.

Provided, further, that the penalty for violation of this section shall be as prescribed by general law of this State relating to hawkers and peddlers.

The fees required herein shall be paid to the Clerk of Court of Fairfield County and shall be turned over to the Treasurer of Fairfield County for deposit to the general fund of the county.

SECTION 20. Provided that if the revenue forthcoming from all sources to the County of Fairfield be inadequate to finance the obligations of the operation of the county, then, upon approval of the delegation, the Treasurer of Fairfield County shall be empowered to borrow up to \$30,000.00, to be repaid within three years upon such terms and at such rate as may be best obtained.

SECTION 21. All acts or parts of acts inconsistent herewith are repealed.

SECTION 22. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R92, H1172)

No. 407**A Joint Resolution Extending The Quail Season in Florence County to March 1.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season in Florence County.—The open season for the hunting of quail in Florence County is hereby extended to March 1.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R250, H1445)

No. 408**An Act To Authorize The Florence-Darlington Tuberculosis Sanatorium To Sell And Convey Certain Lands To The South Carolina Alcoholic Center.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Florence-Darlington Tuberculosis Sanatorium may sell land to South Carolina Alcoholic Center.—A majority of the members serving on the governing body of the Florence-Darlington Tuberculosis Sanatorium on the effective date of this act and any other persons as may be necessary are hereby authorized to sell and convey a good and marketable title in fee simple to twenty-five acres of land of the Florence-Darlington Tuberculosis Sanatorium to the governing body of the South Carolina Alcoholic Center under such terms and conditions as may be agreed upon by both governing bodies. *Provided*, the consideration for such transfer shall not exceed the sum of one hundred dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R275, H1430)

No. 409

An Act To Authorize The Treasurer And The Superintendent Of Education Of Florence County To Transfer Certain Funds From The Sinking Fund Account Of Hannah-Pamplico-Johnsonville School District No. 2 To The Operating Account Of Such School District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County School District 2 may transfer certain funds.—The Treasurer and the Superintendent of Education of Florence County may transfer all funds in the Sinking Fund Account of Hannah-Pamplico-Johnsonville School District No. 2 in excess of the amount necessary to retire outstanding bonds of such county from the Sinking Fund Account to the Operating Account.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R276, H1431)

No. 410

An Act To Authorize The Treasurer And The Superintendent Of Education Of Florence County To Transfer Certain Funds From The Sinking Fund Account Of Lake City School District No. 3 To The Operating Account Of Such School District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County School District 3 may transfer certain funds.—The Treasurer and the Superintendent of Education of Florence County may transfer all funds in the Sinking Fund Account of Lake City School District No. 3 in excess of the amount necessary to retire outstanding bonds of such county from the Sinking Fund Account to the Operating Account.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R278, H1470)

No. 411

An Act To appropriate The Sum Of Seventy-Two Thousand Nine Hundred Twenty-Four Dollars To Be Used For School Purposes In Florence County For The Fiscal Year 1959-1960; To Provide For A Tax Levy To Raise Such Sum; To Authorize The County Board Of Education To Borrow Money In Anticipation Of This Tax Levy; To Require School Trustees To Prepare A Budget Of School Expenses, And To Prohibit Expenditures In Excess Of Such Budgets.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The sum of seventy-two thousand nine hundred twenty-four dollars is hereby appropriated for educational purposes for Florence County for the fiscal year 1959-1960, and a tax of three and one half mills to raise that sum is hereby levied upon all taxable property of Florence County which sum shall be expended for the following purposes:

Item I.	Textbooks	\$ 41,614.00
Item II.	Circulating Library	5,200.00
Item III.	Supplies	500.00
Item IV.	County Board Expenses	1,500.00
Item V.	County Superintendent's Office	5,700.00
Item VI.	County Superintendent	3,750.00
Item VII.	Caterers	11,160.00
Item VIII.	Hot Lunches—Needy Cases	3,500.00

Total\$ 72,924.00

SECTION 2. In order to carry out the purposes of this act and for the operation of schools in Florence County, the board of education for the county is authorized to borrow such sum of money as may be necessary, the amount not to exceed fifty per cent of the taxes pledged for the payment thereof, and shall have the power to pledge any part or all of the school taxes levied in Florence County

as security therefor. In the event it becomes necessary to borrow money for these purposes, the county board shall award the loan or loans to the lowest bona fide bidder, after first advertising for bids by notice published in one or more newspapers having circulation in Florence County for at least ten days prior to awarding such bids, and after giving written notice to all banks in Florence County of the terms and conditions under which bids shall be received. The proceeds of any loan so obtained shall be deposited with the successful bidder; *provided*, the successful bidder shall be an incorporated bank within the County of Florence and shall provide the county treasurer collateral for the same as provided by the county supply act.

SECTION 3. The boards of trustees of the various school districts in Florence County shall, on or before the first day of June each year, prepare a budget showing in detail the items of proposed expenditures for the schools in their respective districts for the next ensuing year and file the same with the board of education for the county for its examination and approval. No budget shall be approved by the county board of education in excess of the revenues provided for the operation of the schools in any such school district and no claim against any such district shall be approved for payment by the county superintendent of education in excess of funds on the approved budget. The county board of education has the authority to spend for the good of the schools any unallocated funds in the county board or any accumulation of funds under any item of Section 1 of this act.

SECTION 4. This act is intended to be in addition to, and not in conflict with, any of the provisions of the general supply act of Florence County for the fiscal year 1959-1960.

SECTION 5. All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R290, H1549)

No. 412

An Act To Authorize The County Board Of Commissioners Of Florence County To Borrow Not Exceeding One Hundred Fifty Thousand Dollars From The Division Of Sinking Funds And Property Or From Private Lending Agencies In Florence County On A Bid Basis, To Be Used For Capital Improvements In The County Or As Designated By The Delegation, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Florence County may borrow money.—The County Board of Commissioners of Florence County is hereby authorized to borrow not exceeding one hundred fifty thousand dollars from the Division of Sinking Funds and Property or from private lending agencies in Florence County on a bid basis. The money borrowed shall be deposited to the General Fund of Florence County and shall be used for making capital improvements in the county or as designated by the county delegation.

SECTION 2. Notes—interest—when payable.—The amounts borrowed shall be evidenced by a note or notes to be executed by the members of the board, shall bear interest not exceeding four per cent per annum and shall be payable within five years unless sooner paid.

SECTION 3. Payment—tax levy.—The full faith, credit and taxing power of Florence County are hereby irrevocably pledged to the payment of the indebtedness and the interest thereon. To provide for the payment of the loan, together with interest thereon, the auditor of the county shall levy and the treasurer shall collect an annual tax upon all of the taxable property in Florence County sufficient to retire the loan with interest within a period of five years.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R389, H1504)

No. 413

An Act To Make Appropriations For Ordinary County Purposes For Florence County For The Fiscal Year Beginning July 1, 1959 And Ending June 30, 1960; To Provide For The Expenditure Thereof And To Levy A Tax For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following sums of money are hereby appropriated for the purposes herein set forth for the County of Florence for the period beginning July 1, 1959 and ending June 30, 1960, inclusive, and the Auditor of Florence County is hereby authorized to levy and the Treasurer to collect for the calendar year 1959 upon all the taxable property in the county a tax of sixteen and one-half mills to defray the same:

Item 1. Roads, Bridges and Chain Gang:

(a) Gasoline, fuel, fuel oil, oil and grease	\$ 25,000.00
(b) Labor	64,000.00
(c) Food and clothing	50,000.00
(d) Supplies, lumber, hardware, repairs, electricity, telephone and incidentals	14,000.00
(e) Hospitalization, drugs, medicines, special medical treatment and veterinarian	2,500.00
(f) County Physician for the Chain Gang, to be ap- pointed by a majority of the Legislative Delegation, including the Senator	1,200.00
(g) Henry Cooper, who shall serve as custodian of the records of the county chain gang and per- form such other duties as may be assigned by the County Legislative Delegation	2,400.00
<i>Provided</i> , that all payments from items (a) through (g), inclusive, shall be made by voucher and not by cash. <i>Provided</i> , further, that the above funds shall be made available only upon the purchase of a posting machine and the in- stallation of the same.	
(h) Equipment and repairs of equipment	71,000.00
(i) Pipe for bridges	12,500.00

Total Item 1\$242,600.00

Item 2. Governing Board:

(a) Chairman, Governing Board	\$ 1,650.00
(b) Six Members, Governing Board	7,920.00
(c) Expenses and mileage, Governing Board, Seven Members at \$75.00 per month	6,300.00
(d) Clerk to Board	2,820.00
(e) Asst. Clerk to Board	2,640.00
(f) County Manager	7,000.00
(g) County Attorney	2,000.00
(h) Courthouse, Heat, Light, etc.	8,000.00
(i) Courthouse Janitor	2,600.00
(j) Printing and Postage	7,200.00
<i>Provided</i> , that the sum of four hundred dollars shall be paid from this item for the expense of Magistrate's office, Florence.	
<i>Provided</i> , further, that an itemized account of all expenditures from this item, showing the of- fice to which paid, be kept and furnished to the Legislative Delegation each six months.	
(k) Premium on Bonds	780.00
<i>Provided</i> , that each magistrate, constable and deputy sheriff shall give a surety bond in the penal sum of not less than one thousand dollars, said undertakings to be approved by the gov- erning board of the county, cost of said bonds to be borne by the above item of seven hundred eighty dollars.	
(l) Miscellaneous Funds	3,000.00
<i>Provided</i> , that an itemized account of all ex- penditures from this item, showing the office to which paid, be kept and furnished to the Legis- lative Delegation each six months.	
(m) Secretary for Legislative Delegation, office furn- iture and office supplies	2,100.00
<i>Provided</i> , that six hundred dollars shall be made available immediately upon passage of this act to be disbursed upon warrant of the legislative del- egation secretary.	
(n) Social Security Adm.	6,200.00

(o) S. C. Retirement System		13,000.00
Total Item 2		\$ 73,210.00
Item 3. Sheriff's Office:		
(a) Sheriff, Salary		\$ 7,000.00
<i>Provided</i> , that the Deputies serving any civil process shall receive mileage fees paid therefor by parties securing service.		
(b) Radio Equipment and maintenance, Sheriff's office		4,250.00
<i>Provided</i> , that the same shall be purchased from the State Purchasing Agent or State Highway Department if the price of either of these agencies is less than the price otherwise obtained.		
(c) Eight Deputy Sheriffs @ \$250.00 each per month		24,000.00
<i>Provided</i> , they shall cooperate in enforcing liquor laws.		
(d) Travel expenses, eight Deputies @ \$175.00 each per month		16,800.00
(e) Fingerprint Deputy		1,800.00
He shall be under the control of the Sheriff of Florence County and the Chief of Police for the City of Florence.		
(f) Clerk to Sheriff		2,400.00
(g) Office expense for Sheriff		600.00
Total Item 3		\$ 56,850.00
Item 4. Treasurer's Office:		
(a) Treasurer, Salary		\$ 3,300.00
<i>Provided</i> , that in addition thereto the Treasurer shall be entitled to fifty per cent of all monies received on account of tax executions.		
(b) Treasurer's Clerks (2)		5,100.00
(c) Expenses, Mailing Tax Notices		3,200.00
(d) Interest—Past Ind. Bonds		16,280.00
(e) Interest—Courthouse Bonds		560.00
(f) Courthouse Bonds		3,000.00
Total Item 4		\$ 31,440.00

Item 5. Magistrates:

Magistrate—Florence	\$ 3,900.00
Clerk to Magistrate—Florence	2,400.00
Magistrate—Timmons ville	2,500.00
Magistrate—Lake City	2,500.00
Clerk	1,820.00
Magistrate—Pee Dee and Hannah	1,220.00
Magistrate—Evergreen	1,800.00
Magistrate—Olanta	2,500.00
Magistrate—Johnsonville	1,800.00
Magistrate—Pamplico	1,800.00
Magistrate—Coward	1,500.00

Total Item 5 \$ 23,740.00

Item 6. Constables:

Two Constables—Florence	\$ 6,000.00
Constable—Timmons ville	2,500.00
Constable—Pamplico	1,800.00
Constable—Olanta	2,500.00
Constable—Lake City	2,500.00
Constable—Evergreen	1,800.00
Constable—Johnsonville	1,800.00
Constable—Pee Dee and Hannah	1,220.00
Constable—Coward	1,500.00

Total Item 6 \$ 21,620.00

Item 7. Coroner's Office:

(a) Coroner, Salary	\$ 1,800.00
(b) Stenographic Assistance, Travel expenses to Coroner	1,800.00
(c) Coroner's expense for performance of autopsies only	1,000.00

Total Item 7 \$ 4,600.00

Item 8. Probate Judge's Office:

(a) Judge of Probate—Lunacy Examinations and Juvenile Cases	\$ 1,800.00
(b) Clerk to Probate Judge	2,910.00
(c) Juvenile Court Case Worker	2,310.00

Total Item 8 \$ 7,020.00

Item 9. Auditor's Office:

(a) Auditor, Salary	\$ 3,300.00
(b) Auditor's Clerks	5,400.00
(c) Additional Clerk for Auditor	2,100.00
(d) Extra Clerical Help, Auditor	1,000.00
(e) County Board of Equalization (\$10.00 per diem for each member)	3,000.00

Total Item 9 \$ 14,800.00

Item 10. County Jail:

(a) County Jailor	\$ 2,575.00
(b) Asst. County Jailor	2,700.00
(c) Jail—Dieting Prisoners	6,500.00
(d) Medical Service for Jail by Physician to be ap- pointed by a majority of the Legislative Dele- gation, including the Senator	600.00

Total Item 10 \$ 12,375.00

Item 11. County Agent's Office:

(a) County Agent's Salary	\$ 1,200.00
(b) Expenses to Home Demonstration Agent	350.00
(c) Asst. Home Demonstration Agent	2,640.00
(d) 4-H Club Work	200.00
(e) J. H. A. (Junior Homemakers)	200.00
(f) Negro County Agent, Salary	1,084.00
(g) Negro Home Demonstration Agent	792.00
(h) Asst. Negro Home Demonstration Agent ...	2,400.00
(i) Secretary to serve four Negro County Agents..	1,800.00
(j) 4-H Club activities for Negro County Agent..	200.00
(k) Clerk to Farm Home Adm.	1,350.00
(l) Expense, Agricultural Building	3,000.00
The rents from the Agricultural Building to be applied on maintenance.	
(m) City County Agricultural Commission Inc.	2,000.00

Total Item 11 \$ 17,216.00

Item 12. Charities:

(a) Public Welfare Board, Florence County	\$ 6,840.00
(b) Tubercular Hospital	44,000.00

Provided, that claims under this item shall be paid monthly by the Governing Board upon certified itemized statement of the Hospital Board on the basis of actual cost per patient per day; *provided*, further, that the monthly total of claims paid shall not exceed one-twelfth of the total appropriations; *provided*, further, that no patient admitted from Florence and Darlington Counties shall be charged more than actual cost for X-rays or drugs administered.

- (c) Drugs for T. B. Patients 2,000.00

Provided, that this sum shall be used for the purchase of drugs for the treatment of Florence County Charity Patients.

- (d) Charity Hospital Cases 48,000.00

Provided, that this amount shall be apportioned and disbursed in six bimonthly installments not to exceed eight thousand dollars per installment upon approval of the Senator and a majority of the Legislative Delegation.

Provided, that Florence County charity cases from T. B. Sanitorium undergoing operations in private hospitals shall be hospitalized out of this fund.

Provided, further, that none of these funds shall be expended on cases outside of Florence County.

Provided, that four thousand three hundred twenty dollars is to be used for administration at the rate of three hundred sixty dollars per month.

- (e) Medicine for Charity Cases to be disbursed upon recommendation of attending physician 2,500.00
 (f) Salvation Army 600.00
 (g) Foster Children's Home 5,000.00
 (h) Foster Home, Negro Children 3,600.00
 (i) Needy Orphan Children 1,980.00

Total Item 12 \$114,520.00

Item 13. (a) County Health Department \$ 39,378.00

Provided, this item is to be paid in monthly payments according to a schedule to be filed by the County Health Director, and approved by the Senator and a majority of the Legislative Delegation in the office of the Governing Board.
Provided, that the County Health Director shall act with the County Physician in all lunacy examinations and shall administer and give all smallpox vaccinations and anti-typhoid serum in addition to all general duties of the County Health Director.

(b) Mental Health Clinic	10,078.90
(c) Health Clinic—Pamplico	300.00
(d) Construction of a Health Center at Lake City, which sum shall be immediately available, <i>provided</i> , matching Federal funds are obtained ...	35,000.00

Total Item 13 \$ 84,756.90

Item 14. National Guard Units:

(a) Lake City National Guard	\$ 1,200.00
<i>Provided</i> , that two hundred dollars of the above appropriation shall be for use of Pamplico Platoon.	
(b) Florence National Guard	1,400.00
<i>Provided</i> , seven hundred dollars shall be paid to each unit in Florence.	
(c) Timmons ville National Guard	900.00

Total Item 14 \$ 3,500.00

Item 15. Courts:

(a) County Court	\$ 8,500.00
(b) County Court Stenographer	2,640.00
(c) Civil Contingent Fund for County Court	100.00
(d) Jurors and Witnesses	16,000.00
(e) Expenses, Stenographer, Court of Common Pleas and General Sessions	400.00
(f) Vital Statistics	1,125.00

Provided, that the Clerk of Court shall receive from those applying for birth and death certificates the sum of fifty cents each as compensa-

tion for indexing and furnishing birth and death certificates.

(g) Master in Equity	5,400.00
(h) Clerk	1,820.00

Provided, that the Master shall collect the fees and costs as now provided for, keep an account of all fees and costs, and on or before the tenth day of each calendar month he shall deliver an itemized statement of said collection to the County Treasurer, together with the payment to the Treasurer of eighty per cent of all fees, costs and charges collected during the preceding calendar month.

(i) Probation Officer	300.00
(j) Clerk to Probation Officer	300.00
(k) Phone for Probation Officer	100.00
(l) Expenses, Resident Circuit Judge	1,500.00
(m) Stenographic Services, Resident Circuit Judge	600.00

Total Item 15

Item 16. Secretary, County Service Officer

Total Item 16

Item 17. Expenses, County Service Officer

Total Item 17

Item 18. Election Commission

Total Item 18

Provided, this sum is to be paid for expenses and mileage and is to be paid quarterly.

Item 19. The County Governing Board is hereby directed to purchase a posting machine suitable for use in the office of the Governing Board and said purchase shall be made by competitive bids.

Item 20. Florence County Higher Education Commission

Total Item 20

Item 21. Florence County Historical Commission\$ 3,000.00

Total Item 21\$ 3,000.00

Item 22. County Recreation Department:

(a) Director's Salary\$ 4,500.00

(b) Travel 1,200.00

(c) Office Expense and Postage 310.00

(d) Officiating 125.00

(e) Program Supplies 1,000.00

(f) Program Activities 2,800.00

(g) Contingent Fund 65.00

Total Item 22\$ 10,000.00

GRAND TOTAL\$787,292.90

SECTION 2. The Treasurer of Florence County is hereby authorized, empowered and directed to pay the funds hereinabove appropriated out of any available funds in hand or that may be collected.

SECTION 3. Such officers of the County of Florence as are charged with the expenditure or disbursement of the above appropriations shall state upon each warrant drawn upon the county treasurer the item in the Appropriation Act on account of which the warrant shall have been drawn and such disbursing officer shall not draw his warrant upon the county treasurer in any amounts singly or in the aggregate for more than has been appropriated for the specific purpose for which the warrant is drawn, except upon the written consent of all of the legislative delegation, and no warrant paid by the county treasurer shall be allowed as a credit to him in his settlement unless it conforms with the above requirements; *provided*, further, the Governing Board of Florence County is hereby authorized to borrow the funds hereinabove appropriated and pledge therefor the taxes to be collected for 1959. *Provided*, further, that upon any matter which the Governing Board of Florence County is required to act in connection with the county's business and affairs a majority of said board shall be sufficient.

SECTION 4. The Governing Board shall award this loan to the lowest bona fide bidder, advertising for open bids in one or more newspapers published in Florence County at least ten days prior to awarding bids, and at the same time notify each bank in Florence

County in writing the terms and conditions under which the bids are received. The proceeds of this loan shall be deposited with the successful bidder; *provided*, the successful bidder is an incorporated bank within the County of Florence, South Carolina; *provided*, further, that before depositing any funds of the county in any bank or banks, such bank or banks shall secure the safe deposit of said funds by depositing with the county treasurer a trust receipt certifying that securities to the amount of such deposit or deposits have been duly set aside in some bank or trust company to be approved by the county board and are being held in trust for the County of Florence to secure the said deposit. *Provided*, further, that securities shall be bonds or obligations issued by the United States of America, the State of South Carolina, or some political or governmental subdivision thereof, either or both, or Federal Land Bank, or Joint Stock Land Banks, or Home Owners' Loan Bonds; *provided*, further, that the deposit so made and secured shall remain with the bank or banks receiving it until used for the purpose for which it was borrowed, and all other funds of the county not already pledged shall be deposited with such successful bidder or bidders.

SECTION 5. All road machinery, plows, equipment, and supplies to be purchased by the County of Florence from the funds herein appropriated shall be bought for the most economical price from the State Purchasing Agent or the State Highway Department or upon competitive sealed bids, after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which advertisement shall designate the time and place at which the bids will be open, and the said bids shall be publicly opened at the time and place designated in the advertisement. *Provided*, further, that each member of the county delegation shall be notified by letter of the time and place of opening bids publicly.

SECTION 6. No purchase shall be made for Florence County of any kind whatsoever from any members of the Governing Board or Legislative Delegation, or any relative of any member of the Governing Board or Legislative Delegation within the sixth degree, nor shall any member of the Governing Board or Legislative Delegation, or person related to a member of the Governing Board or Legislative Delegation within the sixth degree, enter into any contract by or with the County of Florence.

SECTION 7. The Clerk of Court for Florence County shall record all tax titles made to the Forfeited Land Commission for Florence

County from the delinquent tax collector and the auditor of the county shall record the transfer thereof without charge in part consideration of the compensation now received by these officers.

SECTION 8. All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R402, H1656)

No. 414

An Act To Create The Lower Florence County Hospital District And To Provide For The Appointment Of A Governing Body For Such District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lower Florence County Hospital District created—election on inclusion.—There is hereby created in Florence County a hospital district to be known as "The Lower Florence County Hospital District" which shall include the area situate south of Lynch's River in Florence County ; *provided*, that five per cent of the qualified freeholders of such precincts or precinct, not in Florence County School District No. 3, petition the Florence County Elections Commissioners and a majority of such qualified freeholders in such precincts or precinct vote in favor of being included in such district. In the event there is only a portion of a precinct below Lynches River, the portion below such river shall be considered as the whole and shall be subject to the conditions set forth herein. Upon a majority of the qualified freeholders in such precincts or precinct, or portion thereof, voting in favor of inclusion, the precincts or precinct, or portion thereof, shall be included in the hospital district.

SECTION 2. Board of Commissioners—appointment—terms—organization—meetings.—A board of commissioners, hereinafter referred to as the board, consisting of seven members who shall be residents of the hospital district, shall be appointed for the government of the hospital district, and such members shall serve until their successors are appointed and qualify. The first members of the board to

serve shall be appointed by the Governor upon the recommendation of the Legislative Delegation, including the Senator, as follows: one shall be appointed for one year, one shall be appointed for two years, one shall be appointed for three years, one shall be appointed for four years and three shall be appointed for five years. After the first members, their successors shall be appointed by the Governor upon the recommendation of a majority of the remaining members of the board for terms of five years each. The board shall meet as soon after appointment as practicable and shall organize itself by electing one of its members as chairman and such other officers as may be deemed necessary. Thereafter they shall meet on the call of the chairman or a majority of the members of the board.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R218, S194)

No. 415

An Act To Authorize The Town Council Of The Town Of Andrews In Georgetown County To Close A Fifteen-Foot Alley In The Town, And To Authorize The Town Council To Convey Such Interest In The Fifteen-Foot Alley As The Town May Have.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Andrews may close certain alley.—The Town Council of the Town of Andrews in Georgetown County may abandon and close to public use as a road and thoroughfare a fifteen-foot alley bisecting Block 8 of a subdivision of land formerly of the Atlantic Coast Lumber Corporation and more particularly delineated and described in Plat Book C, page 28—Atlantic Coast Lumber Corporation map, and Plat Book A-3, page 23, both of which books are on file in the office of the clerk of court in Georgetown County. The town council is authorized to convey by deed all rights, title and interest which the town may have in the fifteen-foot alley to those persons owning property adjacent to the alley.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R334, H1527)

No. 416

An Act To Authorize The Governing Body Of Georgetown County To Trade A Certain Parcel Of Land To The International Paper Company In Exchange For A Certain Parcel Of Land Owned By That Company.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County and International Paper Company to exchange land.—The governing body of Georgetown County is hereby authorized to exchange a parcel of land owned by the county, generally rectangular in shape, lying on the eastern side of South Island Road, measuring approximately 800 feet on the north, 2700 feet on the east, approximately 970 feet on the southeastern side and approximately 2850 feet on the western side and containing 31.1 acres, more or less, in exchange for a parcel of land, in Georgetown County, lying to the west, owned by the International Paper Company, and generally rectangular in shape, approximately 3996.88 feet on the eastern side and approximately 3703.26 feet on the western side and containing 37.1 acres, more or less. The governing body of the county is authorized to execute a deed of conveyance for the county property to the International Paper Company and to accept, in the name of the county, a like deed from the International Paper Company for the property of that company given in exchange. Both parcels of land are shown on a plat made by Samuel M. Harper and dated September 26, 1957, on a scale of 1 inch equals 400 feet, and numbered 146-G-14PE.

SECTION 2. Purpose of act—possibility of reverter.—The purpose of this bill is to permit International Paper Company to enlarge its present golf course. The deed given by the County shall carry a reversionary clause reading as follows: "Unless, this property is im-

proved by the construction of nine (9) completed additional holes of golf within three years from the date of this act, the property will automatically revert to the County."

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R336, S200)

No. 417

An Act To Designate The Georgetown County Airport Which Lies Two Miles South Of The City Of Georgetown On U. S. Highway No. 17 As An Industrial Area.

Be it enacted by the General Assembly of the State of South Carolina .

SECTION 1. Georgetown County airport designated as industrial area.—The Georgetown County Airport lying two miles south of the City of Georgetown in Georgetown County on U. S. Highway No. 17 is hereby designated as an industrial area. The County Board of Commissioners is hereby authorized to lease or sell any portion of same upon the approval of the Senator and at least half of the Delegation.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R369, S282)

No. 418

An Act To Amend Act No. 469 Of The Acts Of 1955, Relating To The Conveyance Of Real Estate By The Commissioners Of Georgetown County To W. S. Bridges, Scoutmaster Of Troop No. 26, So As To Change The Designation Of The Troop Number.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 469 of 1955, amended—Georgetown County to convey property to Boy Scout troop.—Section 1 of Act No. 469 of the Acts of 1955 is amended to read as follows: "Section 1. Upon the conveyance to Georgetown County of lot 8 block D as shown on a plat of Hazard Addition Company, the County Board of Commissioners of Georgetown County is authorized to convey to W. S. Bridges, Scoutmaster of Troop No. 76, as trustee for such troop, the following described property:

All that certain piece, parcel or lot of land situate, lying and being in the County of Georgetown, State of South Carolina, and measuring and containing one acre, more or less, as shown on a map thereof made by Samuel M. Harper, dated April 12, 1954; said lot being triangular in shape and measuring in front on Church Street 250 feet, and on the northern sideline 421 feet; on the southeastern sideline 339.2 feet."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R429, H1731)

No. 419

An Act Authorizing The Georgetown County Board Of Commissioners To Close A Certain Road Near Andrews, In Georgetown County; And Authorizing The Relocation Of Such Road.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County may close road.—The Georgetown County Board of Commissioners is authorized to close any portion of the existing road between State Highway 41 and the right-of-way of the Seaboard Airline Railway adjacent to the Overton Airport. Any portion of the road closed by this act may be relocated; *provided*, that the expenses of acquiring the right-of-way shall not be borne by Georgetown County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R531, H1756)

No. 420

An Act To Authorize The County Board Of Education Of Georgetown County To Borrow Not To Exceed One Hundred Thousand Dollars For School Construction And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Georgetown County may borrow money for schools.—The County Board of Education of Georgetown County is hereby authorized to borrow not more than one hundred thousand dollars for the construction of schools in the county.

SECTION 2. Notes—execution—interest.—The Board of Education of Georgetown County may make, execute and deliver notes for the sum so borrowed, which shall be paid at such times, under such conditions, and at such rate of interest as may be agreed upon between the board and the lender. *Provided*, however, that the rate of interest shall not exceed four per cent.

SECTION 3. Payment.—The auditor of the county is hereby directed to levy and the treasurer to collect an annual tax on the property in the county sufficient to meet the annual payments and interest on the notes, and the taxes so collected shall be so applied.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R542, H1043)

No. 421

An Act To Provide For The Levy Of Taxes For Schools, Roads And Other County Purposes In Georgetown County For The Fiscal Year Beginning July 1, 1959, Through June 30, 1960, And For The Expenditure Thereof And To Restrict Use Of Certain Fishing Equipment On Pawley's Island, And To Set Limit Of Certain Waters In The County, And Other Fiscal Affairs Of The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. In order to provide the sums appropriated herein for the respective purposes, hereinafter mentioned, there is hereby levied upon all the taxable property in Georgetown County for the fiscal year beginning July 1, 1959, and ending June 30, 1960, such number of mills as may be necessary for the purpose of paying the sums herein set out. The county auditor shall make such levy, with the approval of the majority of the legislative delegation from the county. In the event, however, of the death or resignation of any one or more members of the legislative delegation, the survivor or survivors shall have the right and power to execute such order.

Roads and Bridges	\$120,000.00
Clerk of Court, Salary	5,775.00
Deputy Clerk of Court, Salary	3,068.10
Clerk to Clerk of Court, Salary	2,534.62
Clerk to Clerk of Court, Salary	600.00
Sheriff, Salary	5,775.00
Sheriff, Travel Allowance	2,475.00
Deputy Sheriffs, Salaries	20,975.00
Deputy Sheriffs, Travel Allowance	14,695.92
For use by Sheriff for Investigating Purposes	1,500.00
Clerk to Sheriff and Magistrate, Salary	3,147.86
Jailor	3,274.24
Treasurer, sufficient with amount paid by State to total \$5,775.00.	
Clerk to Treasurer, Salary	3,068.10
Auditor, sufficient with amount paid by State to total \$5,775.00.	
Clerk to Auditor, Salary	3,068.10
Clerk to Auditor and Treasurer, Salary	2,534.62
Clerk to Treasurer, Salary	2,534.62

Part-time Clerk to Treasurer	1,000.00
Part-time Clerk to Auditor	1,610.00
County Commissioners, per diem and mileage	1,500.00
Chairman, Board of Commissioners, Salary	2,772.00
County Service Officer, Salary	3,780.00
County Service Officer, Travel	1,000.00
Clerk to Service Officer, Salary	2,772.00
Coroner, Travel	636.00
Attorney	600.00
Judge of Probate, Salary	4,244.44
Janitors, Courthouse Buildings, including Health Center	3,150.00
Charwoman to assist Janitor	600.00
Magistrate, Georgetown, Salary	3,465.00
Magistrate, Andrews, Salary	1,200.00
Constable, Andrews, Salary	333.40
Magistrate, No. 5 Township, Salary	970.20
Constable, No. 5 Township, Salary	333.40
Magistrate, No. 6 Township, Salary	970.20
Constable, No. 6 Township, Salary	333.40
Magistrate, Pawley's Island, Salary	970.20
Constable, Pawley's Island, Salary	333.40
Magistrate, Murrells Inlet, Salary	970.20
Constable, Murrells Inlet, Salary	333.40
Tax Commission and Board of Appeals	400.00
Jail Expenses	12,000.00
Jurors and Witnesses	5,000.00
Emergency Funds, Dept. of Public Welfare	2,500.00
Poor	5,000.00
Administrative Expenses, Dept. of Public Welfare ..	1,500.00
Post Mortems, Inquests and Lunacy	1,000.00
Public Buildings	15,000.00
Printing, Postage and Stationery	8,000.00
County Health Department	11,564.00
County Library	10,580.00
Bonding County Officers	1,200.00
Vital Statistics	400.00
Telephone and Telegraph	1,500.00
Special Contingent	14,000.00
County Home Dem. Agent, Col., Travel	750.00

Clerk to County Home Dem. Agent, Col.	866.25
Workmen's Compensation Insurance	2,000.00
Retirement Fund and Social Security	8,000.00
HQ and HQ Btry., 248 FA BN, Georgetown	750.00
Service Btry., 248 FA BN, Andrews	750.00
Heavy Mortar Co., 118 Inf. Georgetown	750.00
Chairman, Board of Registration, Salary	727.65
Clerk, Board of Registration, Salary	462.00
Radio Maintenance	1,500.00
Clerk to Probate Judge	2,078.88
Tax Assessor, Salary	3,464.88
Tax Assessor, Mileage	1,200.00
Assistant Health Inspector	1,386.00

SECTION 2. The deputy sheriffs shall devote their entire time to the duties of the office and shall work under the direction of, and be employed by the sheriff of the county, and shall keep daily records of their work and file same monthly in the sheriff's office.

SECTION 3. The sheriff of the county shall be allowed one dollar per day each for dieting prisoners and he shall furnish them good, wholesome food.

SECTION 4. The sheriff of the county shall work one of his deputies on Pawley's Island and Waccamaw Neck.

SECTION 5. The Senator and members of the House of Representatives from Georgetown County are hereby authorized and empowered to have a complete and thorough examination of the books and doings of all county officers of Georgetown County at least once each year, and, if they deem it necessary at any time, for the best interest of the county, that any office or officers should be investigated oftener than the regular annual investigation and auditing, they are hereby authorized and empowered, and directed to contract with such certified accountant or accountants as they may deem competent and qualified at such salary, or compensation as they may fix, the same to be paid out of the funds herein appropriated for miscellaneous contingent.

SECTION 6. The special contingent fund provided for in this act shall not be expended except upon the written order of the Senator and members of the House of Representatives from Georgetown County. In the event, however, of the death or resignation of any one

or more of the members of the delegation the survivors shall have the right to execute any such order.

SECTION 7. Necessary medical service for the chain gang and other prisoners shall be provided by the board of county commissioners and charged to the proper accounts.

SECTION 8. The board of county commissioners shall employ janitors for the courthouse and other county offices and fix their duties. The janitors shall hold their positions and work under the direction of the board.

SECTION 9. All fees, fines and monies not otherwise provided shall go into the general county fund and show in detail by the officer or officers receiving such monies in their annual statement to the members of the legislative delegation.

SECTION 10. All salaries shall be paid in equal semimonthly installments at the middle and end of each calendar month. *Provided*, that no officer or person shall be paid for any transportation in addition to the mileage now allowed by law and the legal per diem expense now provided by law.

SECTION 11. Jurors serving in circuit courts in Georgetown County, in this State, shall in addition to mileage at the rate of seven cents per mile going to and from court, receive a per diem of five dollars.

SECTION 12. Whenever warrants are drawn in the county commissioner's office on the county treasurer, a duplicate of such warrant shall be furnished the county treasurer at once. No warrant shall be honored by the county treasurer unless he is in possession of such duplicate and the same is duly itemized and shows for what issued.

SECTION 13. There shall be no hauling of seines or nets, either by hand or from boats, within one-half mile of any fishing pier on Pawley's Island.

SECTION 14. The forty-mile limit of Black River in Georgetown County is hereby declared to be at the mouth of Lane's Creek.

SECTION 15. Due to the economic conditions in Georgetown County there shall be no increase in valuation by local tax assessors, unless done on a countywide scale.

SECTION 16. The County Board of Education may exchange properties in Georgetown rural areas, abandoned for school purposes, for other properties; *provided*, those properties belonging to the County Board do not have a value of more than two thousand dollars.

SECTION 17. The county board of commissioners is hereby authorized to employ a suitable individual as airport manager for the county airport who shall receive no salary for the services. The airport manager shall be the liaison between the county board of commissioners and any person who shall lease or operate the airport.

SECTION 18. All acts or parts of acts inconsistent herewith are repealed.

SECTION 19. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R40, H1098)

No. 422

An Act To Validate Recreation Center Limited Obligation Bonds In The Amount Of Seventy-Five Thousand Dollars Of The City Of Greer In Greenville And Spartanburg Counties.

Whereas, utilizing procedures prescribed by the Municipal Bond Act (Code Sections 47-831 to 47-860, inclusive, Code of Laws of South Carolina, 1952), with the exception hereinafter noted, the City of Greer proposes to issue Recreation Center Bonds in the amount of seventy-five thousand dollars, which have been sold at a satisfactory interest cost, payable from an ad valorem tax of three mills to be levied upon all taxable property in said city; and

Whereas, the Municipal Bond Act contemplates that bonds issued in pursuance thereof be payable from unlimited ad valorem taxes rather than from a limited tax levy, by reason of which fact it is desirable that the bonds proposed to be issued by the City of Greer obtain legislative approval for their issuance through the means of this Act validating such bonds. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Bond issue by City of Greer validated.—That an issue of seventy-five thousand dollars of bonds of the City of Greer,

in Greenville and Spartanburg Counties, South Carolina, issued pursuant to the favorable result of an election, ordered in pursuance of a petition of a majority of the freeholders of the City of Greer, by a vote of four hundred ninety to three hundred forty-five, and held in said City on the twenty-fourth day of June, 1958, bearing date the first day of January, 1959, maturing in annual series or installments as follows: two thousand dollars on January first in each year of the years 1961 to 1964, inclusive; three thousand dollars on January first in each of the years 1965 to 1970, inclusive; four thousand dollars on January first in each of the years 1971 to 1976, inclusive; and five thousand dollars on January first in each of the years 1977 to 1981, inclusive, bearing interest at the rate of three and forty one-hundredths per cent per annum, payable on January first and July first of each year, beginning July 1, 1959, of which those bonds maturing subsequent to January 1, 1970, are subject to redemption on January 1, 1970, or any subsequent interest payment date, shall be, upon their issuance, valid and binding obligations of the City of Greer, for whose payment is pledged an annual ad valorem tax of three mills upon all taxable property in said City of Greer.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R63, H1166)

No. 423

An Act Validating And Ratifying The Conveyance Of Certain Streets and Roads From Abney Mills To Greenville County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Conveyances of streets from Abney Mills to Greenville County ratified.—The conveyance by Abney Mills of certain streets and roads in Brandon Mill Village, as described in a deed dated September 23, 1958, and recorded in the R.M.C. Office for Greenville County in Deed Book 611 at page 485, and the acceptance

thereof by Greenville County, is approved, ratified, validated and confirmed.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R112, H1234)

No. 424

An Act To Amend Act No. 230 Of The Acts Of 1951, As Amended, Relating To The Commission Of Sanitation Of The Greater Greenville Sewer District, So As To Provide For The Future Addition Of Areas To Be Served By The Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 230 of 1951, amended—procedure for adding territory to Commission of Sanitation of Greater Greenville Sewer District.—Section 2 of Act No. 230 of the Acts of 1951, as amended, is further amended by adding at the end thereof the following: "The procedure for the addition of new territory under the control of the Commission of Sanitation of the Greater Greenville Sewer District shall be as follows:

(1) The proposed area shall be established by a plat or map showing definite lines of the area to be included in the district;

(2) There shall be procured for presentment to the Commission a written petition approving the establishment of such district, which petition shall contain the signatures of not less than fifty per cent of the property owners within the proposed area so certified to by the county auditor;

(3) Notice in bold type shall be run in a newspaper at least twice thirty days prior to a formal meeting with the Commission stating the general purpose and plan for forming the district. The notice shall designate the date and place of the meeting;

(4) During the thirty day period a map of the area to be included in the district shall be published in a newspaper of general circulation;

(5) At the meeting with the Commission the following shall be submitted to them:

- (a) Actual total evaluation of all property within the area;
- (b) Estimate by engineers of all property within the area;
- (c) Estimate as to necessary tax levy; and
- (d) Engineer's map showing approximate location of initial utility to be installed; and

(6) The Commission shall, upon compliance with the foregoing procedure, have the discretionary authority to place such additional territory under the control of the Commission."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R233, H1448)

No. 425

An Act To Authorize The County Board Of Commissioners Of Greenville County To Issue Not Exceeding Fifty Thousand Dollars Of Bonds Of Greenville Memorial Auditorium District; To Prescribe The Conditions Under Which The Bonds May Be Issued And Their Proceeds Expended; And To Provide For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that through the expenditure of the proceeds of the bonds authorized pursuant to Act No. 1013 of the Acts of 1956, an auditorium has been built for Greenville Memorial Auditorium District which is now in use. It finds, however, that additional permanent equipment and permanent maintenance equipment would be desirable as well as the acquisition of additional real estate which might be converted into off-street parking facilities. It has, therefore, determined to authorize the issuance of additional bonds of Greenville Memorial Auditorium District to the extent of fifty thousand dollars, whose proceeds shall be used for the purposes mentioned

above and for other improvements to the auditorium building which shall be found to be needed by the Board of Trustees of the Greenville Memorial Auditorium District (hereafter called The Trustees).

SECTION 2. Issue bonds — maturity — redemption — interest.—The County Board of Commissioners of Greenville County (hereafter called the County Board) is authorized to issue and sell such amount of bonds of the Greenville Memorial Auditorium District not exceeding fifty thousand dollars, as may be within the constitutional debt limits applicable to the district. The bonds shall be issued upon the written order of the majority of The Trustees of the district either as a single issue or from time to time in several separate issues as The Trustees may issue directions to the County Board. Each issue of bonds shall mature serially in successive annual instalments of such amounts as may be determined by The Trustees, *provided*, that the maturity date of the last instalment of any issue of bonds hereunder shall be not later than thirty years from the date of such issue. Any bond issued pursuant to this act may, at the discretion of the County Board contain a provision permitting its redemption prior to its stated maturity on such terms as the County Board shall prescribe. The bonds shall bear such rates of interest as The Trustees may determine, not to exceed four and one-half per cent per annum, payable annually or semiannually. They shall bear such date or dates and be payable at such place or places as the County Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the county treasurer and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the County Board may prescribe.

SECTION 3. Proceeds.—The proceeds derived from the sale or sales of the bonds authorized to be issued by this act shall be expended for the purposes enumerated in Section 1 of this act.

SECTION 4. Sale.—All bonds authorized by this act shall be sold by the County Board at public sale at not less than par and accrued interest to date of delivery. The form, manner and occasion of the advertisement shall be determined by the County Board.

SECTION 5. Execution.—The bonds shall be signed by the chairman of the County Board and attested by the Treasurer of Green-

ville County under such seal as the County Board may prescribe, but it shall be sufficient for the interest coupons attached to the bonds to bear only the signature of the treasurer of the county. The signature on the coupons may be facsimile, engraved or printed.

SECTION 6. Proceeds—further.—The proceeds derived from the sale of bonds authorized pursuant to this act shall be deposited with the Treasurer of Greenville County in a special fund, separate and distinct from all other funds. Such proceeds shall be applied solely for the purposes set forth in Section 1, except that accrued interest and premium, if any there be on the sale of the bonds, shall be deposited in the account established by the Treasurer of Greenville County for the payment of the principal and interest on the bonds. Such funds shall be expended only upon order of The Trustees for the purposes herein mentioned.

SECTION 7. Exempt from taxes.—The bonds, both as to principal and interest, shall be exempt from all State, county and municipal taxes of the State of South Carolina.

SECTION 8. Payment.—For the payment of the bonds and interest, the full faith, credit and resources of the district are hereby pledged, and the Auditor and Treasurer of Greenville County, respectively, are hereby empowered and directed to levy and collect, annually, a tax upon all taxable property in the district, sufficient to pay the principal and interest on the bonds as they respectively mature.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

An Act To Confirm The Right Of Taylors Water And Sewer District Commission To Issue Two Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Taylors Water

And Sewer District In Greenville County, And To Further Prescribe The Use Of The Proceeds Thereof.

Whereas, Taylors Water and Sewer District was created by Act No. 1099 of the Acts of 1958; and

Whereas, pursuant to such act an election has been held which authorizes the issuance of two hundred seventy-five thousand dollars of bonds, and on the basis of such election, the district proposes to issue two hundred seventy-five thousand dollars of its general obligation bonds, additionally secured by a pledge of the net revenues to be derived from the operation of its contemplated water distribution facility; and

Whereas, the question relating to the issuance of the bonds was submitted in the general election held on November 4, 1958, and resulted favorably by a vote of 140 to 7, but the form of ballot used had minor typographical errors which in the opinion of the General Assembly could not have misled those voting in the election, by reason of which the General Assembly is minded to declare that the conditions precedent to the issuance of two hundred seventy-five thousand dollars of bonds have been met and that the bonds may be forthwith issued. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Right of Taylors Water and Sewer District Commission to issue bonds confirmed—use of proceeds.—The conditions precedent to the issuance of bonds pursuant to Act No. 1099 of the Acts of 1958 are declared fully met, and the Taylors Water and Sewer District Commission is hereby fully authorized and empowered to issue not exceeding two hundred seventy-five thousand dollars of general obligation bonds of Taylors Water and Sewer District pursuant to the act recited above, the proceeds of which shall be used by the commission to construct and establish a water distribution system. Such issue may be additionally secured by a pledge of such of the net revenues to be derived from the operation of the water distribution system as the commission shall approve, and the bonds when sold and delivered shall be valid and binding obligations of Taylors Water and Sewer District, payable from ad valorem taxes, without limit, upon all taxable property in the water district and, to the extent that the commission shall so provide, by a pledge of net revenues as above provided.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R341, H1651)

No. 427

An Act To Amend Act No. 488 Of The Acts Of 1944, As Amended, Relating To The Greater Greenville Sewer District, So As To Provide That Persons From Without The District May Contract With The District For The Purpose Of Dumping Of Refuse, Garbage And Trash.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 488 of 1944, amended—persons without Greater Greenville Sewer District may use facilities of District for certain purposes.—Section 1 of Act No. 488 of the Acts of 1944, as amended, is further amended by adding at the end thereof the following: “The commission shall have the power to authorize persons or corporations situate without the district to utilize facilities of said district for the purpose of dumping refuse, garbage and trash. The commission shall charge such reasonable fees for this privilege as it may establish.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R391, H1542)

No. 428

An Act To Validate Certain Expenditures Made By Greenville County For County Purposes During The Calendar Years 1958 and 1959.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Expenditures by Greenville County validated.—

The following sums which have been expended by Greenville County for county purposes upon approval of the county legislative delegation, such expenditures and approval having been made during the calendar years 1958 and 1959, are hereby validated and declared to be legal in all respects.

<i>Date</i>		<i>Purpose</i>	<i>Amount</i>
1958			
May	7	Additional Salaries—Williams, ...	\$ 20.00
		Carson	20.00
		Additional help, Board of Commissioners	3,640.08
May	12	Additional app'n to Health Dept.	4,200.00
May	16	Additional Salary Mrs. Ida S. Harrison.	318.78
June	6	Part Time Dentist	1,354.43
June	6	Distribution of Six Mill Levy as heretofore—Greenville, Greer, Fountain Inn-Simpsonville	
June	27	Happy Hearts Park—July-Aug.	333.34
June	27	Appropriation for Bond premiums on all except Sheriff Officers	5,000.00
June	27	Additional Salaries Rehabilitation Camp	2,916.19
July	10	Extra Clerk—Auditor's office	398.46
July	10	Purchase Check Writer—Inman	117.94
July	10	Damage Claim—Willie Cleveland	363.98
July	10	Equipment-Supplies Magistrate at Travelers Rest	200.00
July	10	Additional salary Special Deputy at Eastview	180.00
July	15	Desk at U. S. O.	4,250.00
July	16	Appropriation for Civil Defense	6,000.00
July	17	Appropriation for Farm Program Rehabilitation Camp	451.50
July	17	Salary Bookkeeper — Rehabilitation Camp	1,300.00
July	17	Instructions to carry forward unexpended balance in Rehabilitation Camp Appropriation	4,937.50
July	24	Equalization Boards	7,678.71
July	30	To Law Library	1,000.00

<i>Date</i>		<i>Purpose</i>	<i>Amount</i>
<i>1958</i>			
August	11	Lockers for Central Camp	651.22
August	14	County Registration Board	288.00
August	19	Vocational Rehabilitation-Dept. of South Carolina	2,970.00
August	19	Clothing for Supervisor	4,145.00
August	19	Paint for County Bridges	5,400.00
August	19	Legal Supplies for Magistrate John W. Loftis	250.00
August	19	Additional office supplies for Auditor...	300.00
September	3	Additional appropriation for Medical Ex- aminer (Converse)	2,000.00
September	3	Air conditioning unit for Grand Jury Room	250.00
September	15	Registration Board	288.00
September	18	Voting machine purchase	43,400.00
October	3	M. H. Woodward—Special Engineer ..	245.00
October	7	Courthouse additions	150,000.00
October	7	Transfer from Six Mill Levy to Super- visor's appropriation	3,000.00
October	7	Federal Election Commission	1,950.00
October	9	Special Deputy—Laurel Creek School..	400.00
October	24	Draftsman to assist in City Census	1,000.00
November	13	Insurance on voting machines	445.28
November	25	Plans, etc., New Nursing Home	2,500.00
November	25	Machine for Court Investigator	278.42
December	4	Insurance on Sheriff's Rented Cars	1,547.29
December	16	New Automobile for Supervisor	2,039.40
December	19	Extra Clerk for Auditor, 3 Mos.	597.69
December	29	Extra Clerk for Clerk of Court	300.00
December	29	Advance to Maternity Shelter from Reg- ular Appropriation	2,500.00
December	31	Supplies and Equipment for County Board of Commissioners	2,000.00
<i>1959</i>			
January	15	Emergency Relief DPW	\$ 750.00
January	19	Extra Help R. M. C. Office	1,500.00
January	23	Transfer of funds in Supervisor's office..	

<i>Date</i>		<i>Purpose</i>	<i>Amount</i>
1959			
January	31	Clothing allowance for all regular deputies, effective Feb. 1, 1959, \$35 each per mo.	4,550.00
January	31	Tax Refund to James Tankersley	22.26
February	13	Camera and Supplies—Court Investigator	515.24
February	14	Premium on Bond—Deputy E. W. Burns	25.00
February	14	Additional Maintenance—Greenville Art Center	4,100.00
February	14	Piedmont Eng. Service—Re Greenville-Spartanburg Airport	1,602.24
February	14	Additional Travel Allowance for four Dep. Tax Collectors	700.00
February	24	Additional for Foster Home Care	3,700.00
February	24	Pest Control—Health Department	5,000.00
March	2	Registration Board	36.00
March	6	Advertising New York Times—paid to Chamber of Commerce	1,500.00
March	6	Supplies for Block Book Dept.	500.00
March	6	To purchase two acres of land for rehabilitation Camp	1,000.00
March	6	Supplies for erecting storage space for voting machines in Memorial Auditorium	392.00
March	6	Transfer of funds in Item 24—Rehabilitation Camp	
March	7	Balance on note to Stroud Hospital	3,209.49
March	7	Advance to General Hospital	150,000.00
March	9	Moving Voting Machines	66.00
March	11	Advance against 1959-60 Six Mill Levy	50,000.00
March	11	Advance to buy machinery for Supervisor—Pay July 1st	50,000.00
March	13	Additional Supplies Domestic Court ...	600.00
March	19	Work at Farmers' Market	2,631.51
March	20	Premium Bond for Special Deputy at Marietta	25.00
March	24	Dental Chair and transportation of same at County Home	120.00
March	24	Pauper Burial	37.08

<i>Date</i>		<i>Purpose</i>	<i>Amount</i>
<i>1959</i>			
March	24	Storage on Voting Machines	133.21
March	24	Supplies for Registration Board	3.03
March	24	Various small damage claims against the County—all approved by the Supervisor and County Attorney	1,133.33

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect on approval by the Governor.

Approved the 18th day of May, 1959.

(R422, H1534)

No. 429

An Act To Create Renfrew Sewer District In Greenville County; To Prescribe Its Boundaries; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Make Provision For The Borrowing Of Money By The District And To Provide For Its Repayment; To Make It Unlawful For Any Person To Destroy Or Damage Property Of The District, And To Provide Penalties Therefor.

Whereas, the General Assembly after due investigation has found that it is necessary and desirable for the health and welfare of the inhabitants thereof that the area in Greenville County described below be served by a publicly operated sewer system and that, in addition thereto, the district hereby created should be empowered to make provisions for the collection and disposition of garbage, the furnishing of fire protection for the district and the operation of a street lighting system; and

Whereas, as a consequence of its findings, above recited, the General Assembly has determined to constitute the area as a special purpose district, to provide a governing body for the district, and to empower the governing body as hereinafter provided in this act. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Renfrew Sewer District in Greenville County created—boundaries.—There is hereby established and created in Greenville County a district to be known as “Renfrew Sewer District”, which shall be a public corporation of perpetual succession, and shall have the functions prescribed by this act and any subsequent act, amendatory thereof. The district shall include and be comprised of that area in Greenville County lying on the southerly side of the Geer Highway at Renfrew (near Traveler’s Rest), as more particularly set forth and delineated on a plat entitled “Proposed Renfrew Sewer District” made by Dalton and Neves, March, 1959, and recorded in the R.M.C. Office for Greenville County in Plat Book QQ at page 47. As shown on the plat, the boundaries of the district are described as follows:

Beginning at an iron pin on the southerly side of Geer Highway (U.S. 276) and running thence with the line of property of Abney Mills S. 30-47 W. 241.1 feet to an iron pin; thence S. 54-51 E. 104 feet to an iron pin on the westerly side of Bleachery Street; thence S. 43-03 E. (crossing Bleachery Street) 224 feet to an iron pin; thence S. 58-33 E. 56.7 feet to an iron pin; thence S. 15-54 E. 190 feet to an iron pin on the westerly side of Renfrew Avenue; thence with the westerly side of Renfrew Avenue in a southwesterly direction 1131 feet to an iron pin at the intersection of Renfrew Avenue and Circle Road; thence with the northerly side of Circle Road along a curved line (the chord of which is N. 72-49 W. 204 feet) to an iron pin; thence continuing with the northerly side of Circle Road N. 51-15 W. 327 feet to an iron pin at the intersection of Circle Road and Mill Street; thence with the said intersection along a curved line (the chord of which is N. 9-17 E. 78 feet) to an iron pin on the easterly side of Mill Street; thence with the easterly side of Mill Street N. 38-27 E. 420 feet to an iron pin; thence with the northerly side of Mill Street Extension N. 51-11 W. 410 feet to an iron pin; thence leaving Mill Street Extension N. 23-18 E. 150 feet to an iron pin; thence N. 80-45 W. 183.3 feet to an iron pin; thence S. 67-15 W. 96.4 feet to an iron pin; thence S. 57-58 W. 78.9 feet to an iron pin; thence S. 55-55 W. 90.3 feet to an iron pin; thence S. 30-48 E. 140 feet to an iron pin on the westerly side of Mill Street Extension; thence crossing Mill Street Extension S. 10-40 W. 39.3 feet to an iron pin; thence S. 31-43 E. 175 feet to an iron pin;

thence S. 50-22 E. 187 feet to an iron pin; thence S. 76-24 W. 92 feet to an iron pin; thence S. 82-09 W. 94.3 feet to an iron pin; thence S. 69-33 W. 103.2 feet to an iron pin; thence S. 51-50 W. 103.8 feet to an iron pin; thence S. 32-58 W. 100 feet to an iron pin; thence S. 19-50 W. 90 feet to an iron pin; thence S. 5-30 W. 103 feet to an iron pin; thence S. 13-22 E. 110.2 feet to an iron pin; thence S. 25-22 E. 93.9 feet to an iron pin; thence S. 22-56 E. 104.2 feet to an iron pin in the line of property of J. T. Hodgens; thence with the line of said property S. 72-09 E. 845 feet to the corner of property of Abney Mills; thence with the line of property of Abney Mills S. 71-40 E. 189.6 feet to an iron pin in the southerly side of an unnamed road; thence N. 9-30 E. 351 feet to an iron pin; thence N. 29-13 E. 167.5 feet to an iron pin; thence S. 45-15 E. 110 feet to an iron pin; thence N. 61-43 E. 84.8 feet to an iron pin; thence S. 28-17 E. 404 feet to an iron pin; thence N. 81-01 E. 154.3 feet to an iron pin on the westerly side of School Street; thence with School Street and an unnamed road S. 18-07 E. 92 feet to an iron pin; thence N. 80-33 E. 88 feet to an iron pin; thence N. 54-15 E. 62 feet to an iron pin; thence N. 4-52 E. 65 feet to an iron pin; thence N. 16-33 W. 200 feet to an iron pin; thence leaving said unnamed road N. 50-46 E. 280.1 feet to an iron pin; thence N. 53-29 E. 168 feet to an iron pin; thence N. 67-30 E. 273.3 feet to an iron pin; thence N. 87-47 E. 94.1 feet to an iron pin; thence S. 54-43 E. 453 feet to an iron pin; thence N. 35-17 E. 225 feet to an iron pin on the southerly side of the Geer Highway; thence with the southerly side of the Geer Highway in a northwesterly direction (crossing the intersections of the Geer Highway with Church Street, Renfrew Avenue, and Bleachery Street) 1939 feet to an iron pin, the point of beginning.

SECTION 2. Commission — members — terms — vacancies.—

The district shall be operated, managed and governed by a commission, to be known as "Renfrew Sewer District Commission." The commission shall consist of three resident electors of the district. The original members of the commission shall be appointed by the Governor, upon the recommendation of a majority of the Legislative Delegation of Greenville County, including the Senator. These appointments shall be for terms of two years for one member, four years for the second member and six years for the third member,

and until their successors shall have been appointed and qualify. Any vacancy shall be filled by election as provided in Act No. 950 of the Acts of 1958, unless the vacancy is for an unexpired term of less than one year, in which case the same shall be filled by appointment as provided in Act No. 950 of the Acts of 1958.

SECTION 3. Powers of commission.—There is committed to the district the functions of acquiring or constructing, operating, maintaining, improving and extending a sewer system, a street lighting system, a system for the collection and disposition of garbage and a system for fire protection within the district. To that end, the commission shall be empowered as provided below to:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. Deposit moneys derived from revenue-producing facilities, and to withdraw the same for the purposes of operating and maintaining those and other facilities and discharging any of the functions and responsibilities of the district.
6. Prescribe regulations, by resolution of the commission, (a) to require persons who shall be residents of the district to make use of any sewer or garbage system which the district shall place in operation, (b) to enable the commission to fully discharge the duties placed upon it, and (c) to protect all property acquired by it.
7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.
8. Acquire, build, construct, operate and maintain a system for the collection and disposal of sewage, including the construction of sewer mains and sewer lines, and from time to time enlarge and extend the same; any facility acquired, built or constructed for the treatment or disposal of sewage may be located outside the boundaries of the district.
9. Acquire, build, construct, operate and maintain (or contract for its construction, operation or maintenance) a street lighting system and all apparatus and equipment necessary for the proper functioning of the same.
10. Acquire, establish, operate and maintain a system of fire protection.

11. Acquire, establish, operate and maintain a system for the collection and disposal of garbage.

12. Place into effect and revise, whenever it shall be desirable or necessary, a schedule of rates and charges for the use made of its sewage or garbage collection and disposal systems.

13. Purchase, or otherwise acquire, a supply of electricity for its street lighting system and enter into contracts for the purchase of such electricity or for the operation and maintenance of a street lighting system, whether or not such system is owned by the district.

14. Make use of county and state highway rights of way in which to lay pipes and lines, in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

15. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Article 2, Chapter 3, Title 33, Code of Laws of South Carolina, 1952, or by following the procedure for the exercise of eminent domain prescribed by Chapter 3, Title 25, Code of Laws of South Carolina, 1952, as such statutes are now or hereafter constituted. *Provided*, that the power of eminent domain conferred by this section shall not extend to the property of any public utility which the utility could have acquired under its power of eminent domain.

16. Make contracts to furnish the services rendered by the district to property, persons, firms, corporations or political subdivisions outside (as well as inside) the district, upon such terms and at such rates and charges as the commission may approve.

17. Make contracts with any person or political subdivision for the treatment and disposal of sewage collected into the sewage collection system of the district.

18. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

19. Make contracts for construction, engineering and other services, with or without competitive bidding.

20. Borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness, payable solely from all or any part of the revenues derived from the operation of any revenue-producing facility. The sums borrowed may be those needed to pay all

costs incident to the acquisition, construction or establishment of any or all of its facilities, or such sum as may be needed to pay the cost of any extension, addition or improvement to such facilities. If the method of financing authorized by this paragraph be availed of, then, under such circumstances, neither the faith and credit of the State of South Carolina, nor of Greenville County nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. To the end that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Article 9, Chapter 3, Title 59, and by Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as now or hereafter constituted, it being the intent of this provision that further amendment and modifications of these code provisions shall be deemed to amend and revise correspondingly the powers granted by this paragraph. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions. Specifically, and notwithstanding contrary provisions in any of such code provisions, if contrary provisions there be, the district may:

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event, the principal of all obligations of such issue may be declared forthwith due and payable notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and of all revenues derived from the operation of the revenue-producing facility, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make such provisions for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

21. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district; and

22. Raise funds for discharging the duties vested in it by levying a tax therefor. The commission shall notify the Auditor and Treasurer of Greenville County of any desired tax, whereupon they shall assess and collect the tax as requested, and the treasurer shall hold the funds and disburse them as directed by the commission. All such taxes shall constitute a lien upon the property against which the same are levied, on a parity with the lien of county taxes, and the provisions of law relating to penalties for the non-payment or tardy payment of county taxes, and the provisions relating to sale of property for delinquent county taxes shall apply to taxes levied pursuant to this act.

SECTION 4. Disposition of revenues.—All revenues derived by the commission from the operation of any revenue-producing facility which may not be required to discharge covenants made by it, in issuing bonds, notes or other obligations authorized by this act, shall be disposed of by the commission, from time to time, for purposes germane to the functions of the district.

SECTION 5. Rates.—The rates charged for services furnished by any revenue-producing facility of the district, as acquired, constructed, improved, enlarged or extended, shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

SECTION 6. Tax exempt.—The property of and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Provisions of act and powers of Commission not to be restricted while district in debt.—So long as the district shall be indebted to any person on any bonds, notes or other obligations issued pursuant to the authority of this act, the provisions of this act and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and holders of such obligations.

SECTION 8. Certain acts prohibited—penalties.—It shall be unlawful for any person to wilfully injure or destroy, or in any manner hurt, damage, tamper with or impair any facility of the district, or any part of the same, or any apparatus or equipment incident thereto or used or useful in the operation of such facility. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days, at the discretion of the court, and shall be further liable to pay all damages suffered by the districts.

SECTION 9. Annexation to district.—The commission may, by resolution and without the necessity of an election to approve the same, annex additional territory to the district if the owner or owners of the real property to be annexed shall consent thereto in writing; any annexation of additional territory made pursuant to this provision shall become effective upon the filing of the annexation proceedings (including the resolution of annexation, a map of the district as enlarged by the annexation, and the aforesaid consent of the owners of the real property annexed to the district) in the Office of the Clerk of Court for Greenville County and the recording in the R.M.C. Office for Greenville County of a map of the district as enlarged by the annexation.

SECTION 10. Saving clause.—If any part of this act shall be declared unconstitutional or invalid, such unconstitutionality or invalidity shall not extend to, affect or impair the remaining provisions of this act, which shall continue in full force and effect.

SECTION 11. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R441, H1701)

No. 430

An Act To Transfer A Certain Tract Of Land In Greenville County From Gantt Water And Sewer District To Parker Water And Sewer Subdistrict Of The Greater Greenville Sewer District And To Direct The Owner Of Such Land To Pay A Certain Sum To The Treasurer Of Greenville County.

Whereas, the fifty-five and nine-tenths acre tract of land described in this act is situate in Gantt Water and Sewer District of Greenville County, South Carolina, directly adjacent to Parker Water and Sewer Subdistrict of the Greater Greenville Sewer District; and

Whereas, such tract of land can be furnished water and sewage disposal and fire protection much more economically and efficiently by Parker Water and Sewer Subdistrict than by Gantt Water and Sewer District; and

Whereas, the owner of such land, Chestnut Hills No. 1, Inc., has agreed to deposit in the bond account of Gantt Water and Sewer District the sum of five hundred sixty-eight dollars and eighty-six cents representing its proportionate share of the outstanding and unpaid principal and interest in the bonds of the district. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain tract of land in Greenville County transferred from Gantt Water and Sewer District to Parker Water and Sewer Subdistrict.—The following tract of land is hereby removed from the Gantt Water and Sewer District and placed within the Parker Water and Sewer Subdistrict of the Greater Greenville Sewer

District, subject to all levies and assessments of such district and subdistrict:

All that piece, parcel or tract of land near the City of Greenville, located on the west side of Church Street Extension or the new U. S. Highway No. 29 and having, according to survey made March 12, 1959 by C. C. Campbell the following metes and bounds, to wit:

Beginning at an iron pin on the west side of the right of way of the South Carolina Highway Department for U. S. Highway No. 29 being on the west side of a frontage road for said highway, joint corner of property now belonging to Chestnut Hills, Inc. and Chestnut Hills No. 1, Inc., and running thence along the west side of said right of way, S. 8-39 W. 165 feet; thence still along said right of way, S. 16-19 W. 700 feet to an iron pin; thence still along said right of way, S. 22-15 W. 148.5 feet to an iron pin; thence still along the right of way of the aforementioned frontage road, S. 34-08 W. 148.5 feet to an iron pin; thence still along the west side of said frontage road and across a creek, S. 40-04 W. 631 feet to an iron pin; thence N. 80-58 W. 118.5 feet to an iron pin; thence N. 77-56 W. 382 feet to an iron pin; thence S. 14-18 W. 237 feet to an iron pin; thence N. 85-24 W. 635 feet to an iron pin; thence N. 2-05 W. 1257.9 feet to an iron pin; thence S. 88-18 E. 889.5 feet to an iron pin; thence N. 15-59 E. 567.4 feet to an iron pin; thence S. 82-05 E. 857 feet to the point of beginning, containing 53.955 acres.

Also, all that triangular piece, parcel or tract of land located between the rights of way of Church Street Extension (new U. S. Highway No. 29) and a frontage road to the west of said U. S. Highway No. 29:

Beginning at the apex of said triangle where the right of way for said frontage road diverges from the right of way of the said U. S. Highway No. 29, and running thence along the west side of the right of way of said U. S. Highway No. 29 S. 16-19 W. 620 feet to an iron pin; thence N. 80-58 W. 327.1 feet to an iron pin on the east side of said frontage road; thence along the east side of said frontage road, N. 40-04 E. 602 feet to an iron pin; thence still along the east side of right of way of said frontage road, N. 36-52 E. 105 feet to the point of beginning, containing 1.945 acres.

SECTION 2. Certain record changes—deposit of funds to be made.—The Auditor and the Tax Collector for Greenville County are authorized and directed to make the appropriate changes in the records of their office and Chestnut Hills No. 1, Inc. is authorized and directed to forthwith deposit with the Treasurer for Greenville County to the credit of the bond account of Gantt Water and Sewer District the sum of five hundred sixty-eight dollars and eighty-six cents, such sum to be used only for the payment of principal and interest on the now outstanding bonds of such district.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R510, H1778)

No. 431

An Act To Amend Section 5 Of Act No. 432 of The Acts Of 1947, As Amended, So As To Give Authority To The Board Of Trustees Of The Greenville General Hospital To Borrow Money.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 5 of Act 432 of 1947, amended—Item (24) added—trustees of Greenville General Hospital may borrow money.—Section 5, Act No. 432 of the Acts of 1947, as amended, is further amended by adding thereto the following:

“(24) To borrow money from national banks in such amounts and on such terms as the Board of Trustees shall determine in their discretion is for the best interest of the hospital for the acquisition of additional real or personal property, including equipment, as may be deemed necessary or desirable by the Board, or to enlarge and improve any hospital building or buildings that it now has or may acquire or construct, or for defraying any costs incurred thereabout. *Provided*, that at no time shall the aggregate of such outstanding loans exceed two hundred thousand dollars and *provided*, further, that the Board of Trustees is authorized and empowered to pledge the revenues of the hospital from any source other than the income derived from charges made to patients for the repayment of such loans.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R558, H1735)

No. 432

An Act To Provide For The Levy Of Property Taxes In Greenville County For County, School And Road Purposes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Appropriate The Revenues Therefrom And The Income From All Other Available Sources Of County Revenues And To Direct And Control The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The County Auditor of Greenville County is hereby directed to calculate, subject to the approval of the Greenville County Legislative Delegation, the levy upon all the taxable property of Greenville County necessary to raise the appropriations hereafter provided for up to the sum equal to the difference between the estimated revenue accruing to the county from indirect and other revenues of like character applicable by law to the general expenses of Greenville County and the sum total of the appropriations herein provided, and no other purpose whatsoever, such levy not exceeding eight and one-quarter mills, of all the taxable property of the county, and such revenues therefrom to be expended, if so much be necessary, during the fiscal year commencing July 1, 1959 and ending June 30, 1960.

Item 1. County Supervisor

1 Supervisor	\$ 5,920.44
2 Clerks	7,013.28
4 Camp Superintendents	15,120.00
4 Assistant Camp Superintendents	13,440.00
1 Bridge Superintendent	3,780.00
1 Surface Treatment Superintendent	3,780.00
1 Quartermaster	3,000.00
4 Day Wardens	9,840.00
4 Night Wardens	9,600.00

1 Civil Engineer	3,000.00
1 Farmer	2,520.00
1 Tire Man	3,000.00
1 Gas Man	3,000.00
1 Health Department Guard	2,520.00
1 Head Mechanic	3,360.00
2 Mechanics, 1 diesel, 1 gasoline	6,000.00
1 Welder	3,000.00
5 Truck Drivers	12,300.00
6 Motor Grader Operators	18,000.00
2 Shovel Operators	6,000.00
1 Distributor Operator	3,000.00
5 Travel Loader Operators	15,000.00
1 Front End Loader Operator	3,000.00
5 Travel Loader Guards	12,600.00
8 Patch Guards, etc.	20,160.00
4 Road Shoulder Guards	10,080.00
10 Pipe Guards	25,200.00
2 Spotting Guards (S. Tr.)	5,040.00
2 Bridge Guards	5,400.00
1 Paint Guard	2,520.00
1 Shot Gun Guard	2,400.00
1 Plumber Guard	2,520.00
Total	241,113.72

FROM GENERAL FUND

A. Maintenance of buildings, appliances, janitors' supplies, office supplies, heating, lights, power and water	25,848.00
B. Convict maintenance (Food and clothing)	62,846.00
C. Purchase Machinery and Trucks	70,000.00
D. Farming Supplies	2,000.00

Total from General Fund\$160,694.00

FROM SIX MILL ROAD LEVY

E. Gasoline, oil, diesel fuel, lubricants	60,000.00
F. Maintenance of equipment (tools, tires, batteries, blades, cables, replacement parts)	90,479.00
Subtotal	150,479.00

G. Bridges and large culverts 66,000.00

Total from Six Mill Road Levy 216,479.00

Total Item 1 \$401,807.72

Provided, that the foregoing total in the amount of \$216,479.00 shall not be included in the Grand Total as that amount is from the Six Mill Road Levy.

Provided, the Supervisor of the County shall not expend or contract to spend in any one quarter of any fiscal year more than one-fourth of the total amount appropriated for his office. If in the carrying out of the limitation imposed on the Supervisor in this section it should develop that any unexpended portion of any item remains for any one quarter of the year, the same may be added to the amount authorized to be expended for the same purpose during the next ensuing period. The periodic allowance above designated shall not, however, be exceeded for any period and any contract providing for the expenditure of any sum in excess of the periodic allowances above provided shall not be binding upon the county. Any person contracting in any manner with the county is charged with the duty of ascertaining whether or not the expenditure of any sum contemplated by any contract shall be in excess of such periodic allowance. The requirements of this proviso as to periodic expenditures may be dispensed with upon the written approval of the board of commissioners. *Provided*, that no monies from the six mill road levy shall be spent for salaries. *Provided*, further, that the balance of the six mill road levy shall be spent only for patching and surface treating county roads.

Item 2. Rehabilitation Camp

A. Salaries \$ 28,430.33

B. Inmate Maintenance 15,460.00

C. Camp Maintenance	8,870.00
D. Work Program	58,106.00

Total Item 2\$110,866.33

Provided, that the budget of the Rehabilitation Camp shall be approved by the Greenville County Legislative Delegation.

Item 3. County Board of Commissioners and Related Expenses:

A. Salaries and Office expenses:

A-1. Secretary to Commissioners	\$ 4,620.00
2 Comptroller	4,620.00
3 Accounting Machine Operator	4,004.08
4 Superintendent of Buildings	4,268.00
5 Secretary to Delegation	858.00
6 Block Book Engineer	4,421.34
7 Asst. Block Book Engineer	3,887.66
8 Asst. Block Book Engineer	3,887.66
9 Asst. Block Book Engineer	3,887.66
10 Asst. Block Book Engineer	3,887.66
11 Draftsmen (6) @ \$302.50 per month each	21,780.00
12 Special Engineer	3,484.80
13 Clerk, Block Book Department	2,979.00
14 Clerk, Block Book Engineer Department	2,629.94
15 Tax Clerk—City Block Book	1,753.22
16 Office Building Elevator Operator	2,474.47
17 Janitors' salaries (includes two from Health Department)	28,586.25

Total 102,029.74

18 Travel for Superintendent of Buildings	330.00
19 Travel for Block Book Engineer	1,819.92
20 Travel for Asst. Block Book Engineer	1,819.92
21 Travel for Asst. Block Book Engineer	1,200.00
22 Travel for Asst. Block Book Engineer	660.00
23 Travel for Asst. Block Book Engineer	1,200.00
24 Travel for Draftsmen (2) @ \$600.00 each	1,200.00

Total 8,229.84

LOCAL AND TEMPORARY LAWS—1959

3-B Office Supplies, Commissioners	600.00
3-B-1 Stamps for Delegation Secretary	25.00
3-C Travel and expenses, County Board of Commissioners	330.00
3-C-1 Supplies—Block Book Department	1,000.00
3-C-2 Lights and Power	16,600.00
3-C-3 Fuel	7,000.00
3-C-4 Water	900.00
3-C-5 Insurance on Buildings	3,500.00
3-C-6 Janitors' Supplies	6,000.00
3-C-7 Elevator Upkeep	1,800.00
3-C-8 Courthouse Repairs	3,500.00
3-C-9 County Audits	5,000.00
3-C-10 Lunch Room Supplies—Freight	1,000.00
3-C-11 Bond Premiums—all officers except Sheriff	5,000.00
3-D Telephone and Telegraph	9,000.00
3-E Legal Advertising	200.00
3-F Postage—all offices	5,000.00
3-G Workmen's Compensation	11,000.00
3-H State Retirement and Social Security	50,000.00
3-K To complete courthouse additions	150,000.00
Total	277,455.00
Total Item 3	\$387,714.58
Item 4-A County Jail:	
1 Jailer, Salary	\$ 3,628.55
2 Assistant Jailers (5) @ \$2,980.59 each	14,902.95
Total	18,531.50
3 Clothing Allowance at \$35.00 per month each for each jailer	2,100.00
4 Food, Fuel, etc.	19,350.00
Total	21,450.00
Total Item 4-A	\$ 39,981.50
Item 4-B County Home:	
1 Superintendent, Salary	\$ 3,540.24
2 Matron	2,976.60

3 Aide	1,452.00
4 Aide	1,848.00
5 Aide	1,848.00

Total	11,664.84
Food, Fuel, Supplies, etc.	28,922.85

Total	28,922.85
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Provided, that the monies appropriated by separate act for the operation of the County Nursing Home be administered by the County Home Board. *Provided*, further, that the County Home Board shall submit a budget for the Nursing Home to the Greenville County Legislative Delegation for its approval. *Provided*, further, that the Greenville County Home Board is empowered to promulgate rules and regulations to govern the operation of the Nursing Home.

Total Item 4-B	\$ 40,587.69
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Item 4-E Charitable Institutions:

1 Children's Center	\$ 4,000.00
2 Greenville Rescue Mission	1,200.00
3 Salvation Army, twelve monthly installments ..	1,000.00
4 Greer Relief Agency	300.00
5 Emergency Maternity Shelter	27,500.00
6 Civic Art and Cultural Center	5,000.00
7 Fountain Inn Relief Agency	300.00
8 Civil Defense	5,500.00
9 U.S.O. Housing Desk	4,200.00
10 Mental Health Clinic	16,841.15
11 Biologicals for Indigents	7,500.00

Total Item 4-E	\$ 73,341.15
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Provided, that the State mental health authorities are authorized to charge such patients as are financially able to pay a reasonable fee based on their ability to pay as may be determined by the authorities with such monies realized to be

used for the purpose of improving the services at the Greenville Mental Hygiene Clinic.

Provided, funds hereinabove appropriated for Biologicals for Indigents shall be expended only upon approval or certification of one of the following agencies: (1) Department of Public Welfare, (2) Certification by proper authorities of the General Hospital, and shall be used in behalf of indigents not admitted to the General Hospital as patients and in behalf of convicts.

Provided, however, that the retirement eligibility of Jack Wilson shall not be affected and for purposes of retirement he shall be deemed to continue as an employee of Greenville County, but not an employee of Greenville Hospital.

Provided, further, that the Charity Investigator shall be paid from the same source as he is now paid.

Item 5. Court Operation Expenses

A. Salaries:

A-1 Bailiff	\$ 1,927.60
2 Assistant Bailiff	1,665.58
3 County Judge	10,285.00
4 Solicitor, County Court	5,031.18
5 County Court Reporter	3,630.00
6 Stenographer to Solicitor	2,279.27
7 Stenographer to Circuit Solicitor	2,629.94
8 Stenographer to Coroner	1,320.00
9 Stenographer to Circuit Judge	1,205.16
10 Circuit Court Stenographer	292.22
11 Criminal Investigator—Circuit and County Court	3,630.00
12 Supplement salary—Stenographer, Parole Officer	880.04
13 Judge, Domestic Court	8,470.00
14 Chief Probation Officer	4,686.00
15 Probation Officer	3,638.58
16 Probation Officer	3,638.58
17 Clerk, Probation Court	3,638.58
18 Secretary, Domestic Court	3,638.58
19 Clerk, Domestic Court	3,638.58

20 Matron, Detention Home	2,178.00
21 Special Probation Officer	3,960.00
22 Probation Officer	2,552.00
23 Probation Officer	3,638.58
24 Clerk, Domestic Court	3,638.58
25 Clerk, Domestic Court	3,638.58
26 Superintendent, Colored Detention Home	2,178.00
27 Unallocated salaries	1,777.71
28 Assistant Solicitor	3,600.00

Total\$ 93,286.34

29 Travel—Criminal Investigator	1,650.00
30 Travel, Judge, Domestic Court	1,200.00
31 Travel, Probation Officer—Domestic Court ...	1,100.00
32 Travel, Probation Officer—Domestic Court	660.00
33 Travel, Probation Officer—Domestic Court ..	660.00
34 Travel, Probation Officer—Domestic Court ...	660.00
35 Travel, Probation Officer—Domestic Court ...	660.00
36 Travel, Probation Officer—Domestic Court ...	330.00
37 Travel, Probation Officer—Domestic Court ...	660.00

Total 7,580.00

5-B Jurors—All Courts	36,733.48
5-A-4 Office Rent—County Solicitor	564.00
5-B-1 Office Supplies—County Court	250.00
5-B-2 Supplies, Circuit Court Stenographer	1,000.00
5-B-3 Office Supplies, Circuit Court Solicitor	200.00
5-C-1 Office Supplies—Domestic Court	2,000.00
5-C-2 Supplies, etc.—Detention Home, Juvenile Court	10,540.00
5-C-3 Mileage, Special Probation Officer, Domestic Court	800.00

Total 52,087.48

Total Item 5\$152,953.82

Provided, that the criminal investigator shall be a full time employee and charged with the duty of assisting the solicitors of the circuit and County Court with the investigation and preparation

of all criminal matters relating thereto in Greenville County, and to that end will be charged with the further duty of assisting the Grand Jury with respect to such investigations as said body shall require. The appointment of said investigator shall be made by the County Delegation upon the recommendation of the Circuit and County Solicitors.

Provided, that the assistant solicitor shall be employed by the circuit solicitor and the County Court solicitor and shall serve under their direction.

Provided, that the money hereinabove appropriated for supplies for the Circuit Court stenographer shall be expended upon the written authorization of the Resident Circuit Judge.

Item 6. County Health Department Salaries, Supplies and Vital Statistics\$112,698.90

Total Item 6\$112,698.90

Provided, that the monies hereinabove appropriated shall be spent upon the written approval of the Legislative Delegation.

Item 7. Sheriff and other Law Enforcement

A-1 Sheriff	\$ 5,920.53
2 Chief Deputy	4,146.91
3 Radio Operator	4,356.00
4 Clerk	2,541.00
5 Radio Repairman	2,013.00
6 Clerk	2,831.40
7 Bookkeeper	3,630.00
8 Deputies (24) @ \$332.75 per month	95,832.00
9 Sunday Operator	363.00
10 Special Deputy (Poe Mill)	245.38
11 Special Deputy (Renfrew)	245.38
12 Special Deputy (Sou. Bleachery)	245.38
13 Special Deputy (Union Bleachery)	245.38
14 Special Deputy (Brandon)	738.48
15 Special Deputy (Woodside)	245.38
16 Special Deputy (Sans Souci)	1,139.56

17 Special Deputy (Piedmont)	245.38
18 Special Deputy (Sou. Worsted)	245.38
19 Special Deputy (Poinsett)	245.38
20 Special Deputy (North Greenville)	1,139.56
21 Special Deputy (Conestee)	264.00
22 Special Deputy (East View)	1,116.46
23 Special Deputy (Rehobeth)	918.46
24 Special Deputy (Simpsonville)	918.46
25 Special Deputy (Travelers Rest)	1,139.56
26 Special Deputy (Taylors)	1,139.56
27 Special Deputy (Slater-Marietta)	1,576.87
28 Special Deputy (City View)	1,139.56
29 Special Deputy (Fork Shoals)	1,139.56
30 Special Deputy (Judson-Welcome)	1,163.84
31 Special Deputy (Berea)	918.46
32 Special Deputy (Dunklin)	1,139.56
33 Special Deputy (Greer)	245.38
34 Special Deputy (Mauldin)	918.46
35 Special Deputy (Laurel Creek—9 months) ...	495.00
36 Special Deputy (Park Place)	1,139.56
37 Special Deputy (Pelham)	430.72
Total	\$142,417.95
1 Travel, Gas, Oil, Car Repairs—Sheriff's auto- mobile	1,905.00
2 Travel for Chief Deputy	1,650.00
Total	\$ 3,555.00
7-B Gasoline for eleven rental cars	12,000.00
7-B-1 Rental on eleven cars	20,938.84
7-B-2 Fingerprinting Equipment	600.00
7-B-3 Ammunition, Guns, etc.	400.00
7-B-4 Evidence Procurement Fund	250.00
7-B-5 Radio Maintenance and Phone	1,420.00
7-B-6 Office Supplies	2,500.00
7-D Military	2,950.00
7-E Insurance	2,103.20
7-F Transportation of Prisoners	2,000.00
7-G Premium on officers' bonds, including insur- ance on Sheriff's and Chief Deputy's automo- biles	1,300.00

7-H Clothing allowance, 24 Deputies @ \$35.00 per
month each 10,080.00

Total\$ 56,542.04

Total Item 7\$202,514.99

Provided, that unincorporated towns and out-lying districts shall be patrolled by schedule in that Greenville County shall be zoned by the Sheriff and Radio Patrol be constantly maintained in said zones, rather than attempting county-wide operation from the Sheriff's office, and, *provided*, that two deputies shall be assigned to civil matters and they shall not be responsible for the serving of criminal investigations.

Provided, that before any expenditure shall be made under the foregoing appropriation for transportation of prisoners, the Sheriff's office shall first obtain the written approval of the Circuit or County Solicitor. *Provided*, further, if possible return of State prisoners shall be made without cost to the county.

Item 8. Clerk of Court

A-1 Clerk of Court, Salary\$ 5,920.53
2 Deputy Clerk, Salary 3,506.58
3 Second Clerk, Salary 2,980.59
4 Third Clerk, Salary 2,629.94
5 Temporary Clerk, Salary 550.00

Total\$ 15,587.64

8-B Court Journals and Calendars 1,000.00

8-C Printing Supplies 350.00

8-D Office Equipment 850.00

Total\$ 2,200.00

Total Item 8\$ 17,787.64

Item 9. Probate Judge, Salary

A-1 Probate Judge, Salary\$ 6,555.78

2 Clerk to Probate Judge, Salary 3,506.58

3 Second Clerk, Salary	2,980.59
4 Third Clerk, Salary	2,629.94
5 Third Clerk, Salary	2,629.94
Total	\$ 18,302.83
9-B Lunacy Examinations	2,500.00
9-C Office Supplies	1,550.00
9-D Office Equipment	150.00
9-E Transportation of Mental Patients	1,800.00
Total	\$ 6,000.00
Total Item 9	\$ 24,302.83
Item 10. Delegation Contingent Fund	
B Special appropriations by Delegation	\$ 15,000.00
Total Item 10	\$ 15,000.00
Item 11. County Treasurer	
A-1 County Treasurer, Salary	\$ 2,920.53
2 First Clerk	3,506.58
3 Second Clerk	2,980.59
Total	\$ 9,407.70
B Office Supplies	450.00
Total	\$ 450.00
Total Item 11	\$ 9,857.70
Item 12. Master in Equity	
A-1 Master, Salary	\$ 6,809.88
2 Clerk to Master	3,506.58
3 Stenographer	2,629.94
Total	\$ 12,946.40
B Supplies	300.00
Total	\$ 300.00
Total Item 12	\$ 13,246.40

Item 13. Coroner

A-1 Coroner, Salary\$ 3,155.68

Total\$ 3,155.68

B Office Supplies 250.00

Gas, Oil and car repairs 1,650.00

Total\$ 1,900.00

Total Item 13\$ 5,055.68

Item 14. Register of Mesne Conveyance

A-1 Register, Salary\$ 5,920.53

2 First Clerk, Salary 3,506.58

3 Second Clerk, Salary 2,980.59

4 Second Clerk, Salary 2,980.59

5 Third Clerk, Salary 2,629.94

6 Third Clerk, Salary 2,629.94

7 Third Clerk, Salary 2,629.94

8 Third Clerk, Salary 2,629.94

9 Operator, photo-record machine, Salary 3,382.06

Total\$ 29,290.11

B-1 Photo-record machine supplies 9,500.00

2 Office supplies and equipment 6,500.00

Total\$ 16,000.00

Total Item 14\$ 45,290.11

Provided, that the Register of Mesne Conveyance in each case where matter is left in her office to be forwarded by mail to some party, shall collect from the person leaving such matter in advance the postage necessary for mailing such matter.

Provided, further, that the Register of Mesne Conveyance may destroy chattel mortgage books left in her office for a period of six years.

Item 15. County Auditor

A-1 Auditor, Salary\$ 2,920.53

2 First Clerk, Salary 3,506.58

3 Second Clerk, Salary	2,980.59
4 Third Clerks (4) @ \$2,629.94 each	10,519.76
8 I. B. M. Operators, Salaries	20,037.60
14 Tax Coordinator, Salary	4,950.00

Total\$ 44,915.06

B I. B. M. Contractual Service	11,500.00
I. B. M. Supplies and Printing	2,340.00
2 Office Supplies—Auditor	1,150.00
C Boards of Equalization and Assessors	7,050.00
D Tax Coordinator, Travel @ 7¢ per mile, not to exceed	1,000.00

Total\$ 23,040.00

Total Item 15\$ 67,955.06

Provided, that the County Board of Commissioners shall have complete control and direction of I. B. M. system and its personnel, equipment and supplies.

Item 16. Tax Collector's Office

A-1 Tax Collector, Salary	4,650.03
2 First Clerk, Salary	3,506.58
3 Second Clerk, Salary	2,980.59
4 Third Clerk, Salary	2,629.94
5 Assistant Collectors (4) @ \$2,804.78 each ...	11,219.12
9 Extra Help	1,650.00

Total\$ 26,636.26

1 Tax Collector—Travel	1,260.00
Assistant Collectors—Travel—\$1,320.00 each ..	5,280.00

Total\$ 6,540.00

B Office Supplies	1,500.00
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Total\$ 1,500.00

Total Item 16\$ 34,676.26

Item 17. Magistrates and Constables

A-1 City Magistrate No. 1, Salary	\$ 4,950.00
2 City Magistrate No. 2, Salary	3,960.00
3 Township Magistrate, Salary	2,640.00
4 Bates Township Magistrate, Salary	2,640.00
5 Fairview Township Magistrate, Salary	1,485.00
6 Highland Township Magistrate, Salary	330.00
7 Grove Township Magistrate, Salary	330.00
8 Gantt Township Magistrate, Salary	330.00
9 Dunklin Township Magistrate, Salary	330.00
10 Cleveland Township Magistrate, Salary	330.00
11 O'Neal Township Magistrate, Salary	632.50
12 Oaklawn Township Magistrate, Salary	330.00
13 Butler Township Magistrate, Salary	330.00
14 Paris Mountain Township Magistrate, Salary	330.00
15 Town of Piedmont Magistrate, Salary	1,842.50
16 Glassy Mountain Township Magistrate, Salary	330.00
17 Austin Township Magistrate, Salary	1,485.00
18 Chick Springs Township Magistrate, Salary	2,200.00
19 Town of Greer Magistrate, Salary	3,080.00
20 Fork Shoals Magistrate, Salary	330.00
21 Saluda Township Magistrate, Salary	330.00
22 Town of Batesville Magistrate, Salary	506.00
23 Special Sunday Magistrate, Salary	2,200.00
24 Laurens Road Magistrate, Salary	495.00
Total	\$ 31,746.00
25 Constable, City Magistrate No. 1, Salary	2,805.00
26 Constable, City Magistrate No. 2, Salary	2,805.00
27 Constable, Township Magistrate, Salary	1,650.00
28 Constable, Fairview Magistrate, Salary	770.00
29 Highlands Township Magistrate, Constable, Salary	275.00
30 Constable, Bates Township Magistrate, Salary	935.00
31 Constable, Grove Township, Salary	275.00
32 Constable, Gantt Township, Salary	275.00
33 Constable, Dunklin Township, Salary	275.00
34 Constable, Cleveland Township, Salary	275.00
35 Constable, O'Neal Township, Salary	605.00
36 Constable, Oaklawn Township, Salary	275.00

37 Constable, Butler Township, Salary	275.00
38 Constable, Laurens Road, Salary	275.00
39 Constable, Paris Mountain Township, Salary	275.00
40 Constable, Town of Piedmont, Salary	1,237.50
41 Constable, Glassy Moutnain Township, Salary	275.00
42 Constable, Austin Township, Salary	770.00
43 Constable, Chick Springs Township, Salary...	1,237.50
44 Constable, Town of Greer, Salary	2,337.50
45 Constable, Fork Shoals, Salary	275.00
46 Constable, Saluda Township, Salary	275.00
Total	\$ 18,452.50
47 Stenographer to City Magistrate No. 1, Salary	2,980.56
48 Stenographer to City Magistrate No. 2, Salary	2,980.56
49 Clerk to Township Magistrate, Salary	1,056.00
50 Clerk to Bates Township Magistrate, Salary	1,760.00
51 Clerk to Chick Springs Township Magistrate, Salary	2,629.94
52 Clerk to Greer Magistrate, Salary	1,341.25
Total	\$ 12,748.31
B-1 Office Supplies, City Magistrate No. 1	250.00
B-2 Office Supplies, City Magistrate No. 2	250.00
B-3 Office Supplies, all other Magistrates	685.00
B-4 Office Supplies, Town of Piedmont Magistrate	300.00
B-5 Rent, Chick Springs Magistrate	900.00
B-6 Rent, Township Magistrate	420.00
B-7 Rent, Bates Township Magistrate	800.00
B-9 Rent, Town of Piedmont Magistrate	300.00
B-10 Rent, Town of Greer Magistrate	300.00
Total	\$ 4,205.00
Total Item 17	\$ 67,151.81
<i>Provided</i> , that each magistrate shall fully comply with Section 4 of Act No. 837 of the 1956 Acts and Joint Resolutions of the General Assembly, as amended in 1958, relating to the keeping of records and display signs, etc.	

Item 18. County Physician and Attorney

A-1 Physician for Post Mortems, Salary	\$ 4,400.00
2 County Physician, Salary	3,300.00
3 Part-time Dentist, Salary	1,489.87
4 County Attorney, Salary	2,922.15

Total \$ 12,112.02

A-2 County Physician, Travel	2,000.00
4 County Attorney, Rent and Expense	1,800.00
Medical Supplies for Convicts	4,500.00

Total \$ 8,300.00

Total Item 18 \$ 20,412.02

Provided, the appropriation for medical supplies for convicts shall be spent on certification of the County Physician.

Item 19. Farm Demonstration

A-1 Farm Agent, Salary	\$ 1,139.64
2 Asst. Farm Agent, Salary	653.40
3 Asst. Farm Agent, Salary	319.44
4 Home Demonstration Agent—White, Salary ..	1,251.23
5 Asst. Home Demonstration, Salary	363.00
6 Home Demonstration Agent—Colored, Salary ..	1,081.19
7 Farm Agent—Colored, Salary	435.60
8 Stenographer—Colored, Salary	990.99
9 Stenographer, Salary	609.84
10 Stenographer to Farm Demonstration Agent, Salary	964.32

Total \$ 7,808.65

B-11 Demonstration Supplies	125.00
12 Stationery and Supplies, Demonstration Agent ..	50.00
13 Rent, Heat, Telephone, Colored Agent	650.00
14 4-H Club—Boys	100.00
15 4-H Club—Girls	100.00
16 4-H Club—Negro	150.00
17 Future Farmers of America	100.00
18 Miscellaneous Expense	120.00

19 Telephone, Home Demonstration Agent	170.00
20 Greater Greenville Sanitation—To destroy, haul and dispose of dead animals	4,500.00
21 Cooperative Artificial Breeding Association	2,400.00
22 Demonstration material, Negro Agricultural Agent	50.00
Total	\$ 8,515.00
Total Item 19	\$ 16,323.65
Item 20. County Forestry Board	
B-1 Clerk—8 months @ \$27.83 per month, 4 months @ \$148.99 per month	\$ 818.60
2 Ranger and 3 Wardens @ \$519.73 each, Travel and Expense	2,078.88
3 Towermen (4) @ \$69.36, Travel and Expense	277.44
Total Item 20	\$ 3,174.92
Item 21. Department of Public Welfare	
A-1 Director, Salary Supplement	\$ 762.30
2 Case Workers (22) @ \$12.70 each per month, Salary Supplement	3,352.80
3 Clerks (8) @ \$12.70 each per month, Salary Supplement	1,219.20
4 Statistical Clerk, Salary Supplement	381.22
5 Workers (3) @ \$12.70 each per month, Salary Supplement	457.20
6 Supervisors (4) @ \$31.76 each per month, Sal- ary Supplement	1,524.48
7 Child Welfare Clerk, Salary Supplement	152.46
8 Additional Child Worker	3,778.10
Total	\$ 11,627.76
B-9 Welfare Workers, Mileage, (4) @ \$33.00 per month each	1,584.00
10 Additional Child Worker, Mileage	270.00
11 Chairman of Board, Mileage and Expense	330.00
12 Telephone and Incidentals	1,500.00
13 Emergency Relief Purposes	1,000.00

14 Foster Home Care—D. P. W.	23,600.00
Total	\$ 28,284.00
Total Item 21	\$ 39,911.76
GRAND TOTAL	\$ 1,902,612.52
Anticipated approximate revenue indirect levy for 1959-60, applicable to General County Purposes approximately	1,018,612.52
Approximate revenue to be raised by levy for General County Purposes	\$ 884,000.00

SECTION 3. Subitems of subdivisions under Section 2, Item 1 and Item 3 of this act may be diverted to any other subdivision under the same item, where such action is found to meet the deficiency in such subitem or subdivision such diversions to be made by the County Board of Commissioners, and upon and after the approval of the Greenville County Legislative Delegation at a duly called meeting; *provided*, the total appropriation of Item 1 be not thereby exceeded; *provided*, further, that like diversion in other items under Section 2 may be likewise made where no salary or fixed charge is thereby affected.

SECTION 4. No per diem shall be allowed out of Item 11 to any salaried officer of Greenville County.

SECTION 5. Item 10 entitled "Contingent Fund" of fifteen thousand dollars hereinabove referred to shall be expended in the discretion of, and under the direction of the Greenville County Delegation upon claims, demands and petitions previously approved by the County Board of Commissioners and for such purposes as may be prescribed by the delegation at regular called meetings duly assembled. *Provided*, that notices of any meetings shall state the matters to be considered, and any question or proposal not stated in the notice of a called meeting shall not be passed upon at such meetings unless as many as six members present vote in favor of considering the same.

SECTION 6. The amount hereinabove appropriated as salary for the county auditor and county treasurer are estimates only. The

exact amount to be paid by this act appropriated as salary for each of said officers is a sufficient sum to make a total of five thousand nine hundred twenty dollars and fifty-three cents when added to the amount paid by the State.

SECTION 6-A. Members of the Board of Assessors for Greenville County except the members of the Special Board of Assessors for the City of Greenville shall be paid seven dollars and fifty cents per day for their services, and the members of the Special Board for the City of Greenville shall be paid ten dollars per day for their services. The members of the board shall be paid five cents per mile for all necessary travel incident to their work. The Special Board for the City of Greenville may employ a clerk, who shall receive as compensation for his or her services the sum of five dollars per day for not exceeding ninety days. *Provided*, that no one shall be employed for the purpose without the prior approval and authorization of the chairman of the board.

SECTION 7. The County Board of Commissioners of Greenville County is hereby authorized to reduce the annual tax levy of any subdistrict of Greater Greenville Sewer District, whenever it shall appear to the Commission that the levy of any such subdistrict is excessive and higher than necessary to meet the debt service requirements and operating expenses of such subdistricts.

SECTION 7-A. The County Board of Commissioners of Greenville County with the approval of the Greenville County Legislative Delegation is hereby authorized to acquire from the United States of America, or any agency, department, authority, corporation or commission thereof, by purchase, lease, loan, gift, or otherwise, such equipment, machinery, supplies, materials, or property, real or personal both as the county board of commissioners in its discretion shall deem necessary or beneficial to Greenville County or to any of its political subdivisions and to execute and deliver for and on behalf of the county, or any of its political subdivisions, any contract, lease or other instruments as may be necessary to consummate any transaction. The county board of commissioners shall make payment from the general funds of Greenville County for any property purchased hereunder, and there is hereby appropriated for such purpose from the general funds of Greenville County whatever sum or sums shall be necessary to carry out the purposes of this section.

SECTION 7-B. The County Board of Commissioners of Greenville County, subject to the written approval of the Supervisor of Greenville County, is hereby authorized to contract with the South Carolina Highway Department for the construction by the county of any road or roads or street or streets within the county, and to pay all cost of construction thereof out of the general fund of Greenville County pending the payment from the Highway Department for such construction. Any excess funds which may be received from the Highway Department over and above construction costs may be used by the Supervisor of Greenville County in improving and constructing roads within the county.

SECTION 7-C. No department head of Greenville County shall make any purchase, or contract to purchase, any materials, supplies, equipment or services in excess of one hundred dollars without a purchase order previously approved by the county board of commissioners, the board being hereby authorized and directed to prescribe such forms and bookkeeping methods, and to promulgate such rules as will carry out the purposes of this provision. The county board shall not approve any purchase order which will involve an obligation over and above the appropriation provided for that purpose.

SECTION 8. The county board of commissioners is authorized and directed to allow the Associate Justice of the Supreme Court residing in the City or County of Greenville the use, without charge, of necessary office space in the Greenville County Courthouse and any allowance made by the State therefor may be used by him for other official expenses.

SECTION 9. Should any part or section of this act be invalidated by court decision on the grounds of illegality or unconstitutionality such decision shall render invalid or inoperative only such portion or portions of this act as may be specifically so invalidated, the remainder to continue in full force and effect.

SECTION 10. All expenditures heretofore authorized by the Greenville County Legislative Delegation and not heretofore validated are hereby ratified and validated.

SECTION 11. No department, agency, or officer of Greenville County shall receive additional pay or any overtime pay during the period for which the appropriations are made in this act.

SECTION 12. All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R70, H1193)

No. 433

A Joint Resolution To Create A Courthouse Renovating And Building Committee For Greenwood County, To Provide For The Appointment Of Members And Outline The Duties And Authority Of The Committee.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Courthouse Renovating and Building Committee for Greenwood County, created—members.—There is hereby created the Courthouse Renovating and Building Committee for Greenwood County which shall be composed of the following who are hereby appointed to membership on the committee:

Henry S. Carter, County Supervisor, ex officio

John Bowen

Marion Carnell

George Free

John Harris

W. N. Henderson

J. C. Marshall

W. H. Nicholson, Jr.

SECTION 2. Powers and duties.—The committee shall make a complete study of the needs of the county for a new courthouse or a complete renovating and enlarging of the present structure, whichever will adequately meet the needs of the county with economy and efficiency. The committee shall formulate plans with estimates of costs and time necessary to complete construction. It shall investigate land sites and estimate land requirements with costs, and shall make a complete survey of building needs with space requirements of the various departments and agencies of the county government which will occupy the new building or the renovation. The committee shall

employ such architects and engineers as are considered necessary and shall consult with such county officials and citizens of Greenwood County as may be necessary or desirable in order to present to the county a building which will serve the people in an ever expanding economy for years to come without the need of expensive extensions or additions.

SECTION 3. Meetings and report.—The committee shall meet upon the call of the chairman or a majority of the members. The chairman shall notify the Legislative Delegation for Greenwood County of the time and place of the first meeting and the delegation shall sit with the committee at its first meeting in order to discuss with the members the needs of the county for a new courthouse or a complete renovation of the present one, and any work which may have been planned in connection therewith, and to convey to the committee any ideas and suggestions which the delegation may have. Upon the completion of the work of the committee a complete report shall be made to the Legislative Delegation of the county, including such recommendations with plans as the committee shall deem proper. In making such report full consideration shall be given not only to all instructions contained in this act, but any other ideas which the committee may believe desirable in furthering the needs of the county in this matter. Such report of the committee shall be advisory.

SECTION 4. Expenses.—Such expenses as may be incurred by the committee for the services of architects, engineers and such others as may be necessary shall be paid from the general fund of the county by the county finance board upon vouchers signed by the chairman of the committee.

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R89, S103)

No. 434

A Joint Resolution To Provide For The Appointment Of A Commission To Be Known As The "Governmental Study Commission" To Study The Operation Of County And Municipal Governments In Greenwood County And To Make Recommendations Regarding The Economy, Efficiency And Needed Changes In Such Operations And The Supporting Tax Structures For Such Operations.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Governmental Study Commission created for Greenwood County.—There is hereby created a commission which shall be known as the "Governmental Study Commission". The Commission shall be composed of nine members who shall be appointed by the Greenwood County Legislative Delegation.

SECTION 2. Meetings—officers—employ personnel.—The Commission shall hold its first meeting in Greenwood as soon as practicable after its appointment, and shall hold subsequent meetings at such times and places as may be designated by the Commission. At its first meeting the Commission shall complete its organization by electing a Chairman, Vice-Chairman and a Secretary. The Secretary may or may not be a member of the Commission. The Commission may from time to time employ, with the approval of the Legislative Delegation, such professional and secretarial assistance as required. The expenses of such assistance shall be paid from the general fund of the county by the county finance board upon vouchers signed by the Chairman of the Commission.

SECTION 3. Duties.—The Commission shall devote itself to the following matters :

(a) A study of the present structure of the county and municipal governments with respect to the functions of their several departments and institutions, and recommend such changes or combinations as may be considered in the interest of efficiency, economy, and the elimination of duplicated functions.

(b) A study of the revenue structure and the present financial situation of the county and municipal governments in relation to their normal operating costs and their revenues applicable thereto.

(c) A study of the trend of cost of the county and municipal governments, and the development of a basic plan for maintaining sound and balanced operations.

SECTION 4. Powers.—The Commission may require from each or all of the county's and municipalities' departments, institutions, or agencies such information, documents, or records as may be deemed necessary to the proper performance of its duties, and each of the departments, institutions, or agencies is hereby directed to submit to the Commission such information, documents, or records as may be requested by the Commission.

The Commission may designate associate members to serve on such sub-committees or task forces as the Commission may deem necessary.

SECTION 5. Report.—The Commission shall file a full report of its findings and recommendations by January 1, 1960 to the Greenwood County Legislative Delegation.

SECTION 6. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R135, H1295)

No. 435

An Act To Ratify And Confirm The Sale Of Certain Lands By Greenwood County And To Authorize The Finance Board Of Greenwood County To Sell Or Lease Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County—sale of property to J. E. Masters ratified.—The sale of property by Greenwood County, immediately described below, to Mr. J. E. Masters for the sum of seven thousand eight hundred dollars is hereby ratified and confirmed. The property is described as follows:

22.4 acres, more or less, as will be more fully shown by reference to a plat dated April 24, 1958, and called "Plat of Greenwood County Electric Power Commission", and 1.35 acres, more or less, as will be more fully shown by reference to said plat. All of such property is located on the waters of Lake Greenwood and has been declared surplus by the Greenwood County Electric Power Commission.

SECTION 2. Sale of property to Greenwood Mills, Inc. ratified.—The sale of land by Greenwood County, immediately described below, to Greenwood Mills, Inc. for the sum of two hundred dollars is hereby ratified and confirmed. The property is described as follows:

2.5 acres, more or less, and being more particularly described by reference to a plat made by T. C. Anderson, Surveyor, dated December 19, 1950, this being property fronting on the waters of Lake Greenwood.

SECTION 3. Finance Board may sell or lease certain property.—The Finance Board of Greenwood County may, in its discretion, sell or lease in such manner and on such terms as it deems it to be in the best interest of the county, such lands purchased for use in connection with Lake Greenwood and the electric system of Greenwood County as declared not needed or as surplus by the Greenwood County Electric Power Commission.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R158, H1321)

No. 436

An Act To Amend Act No. 1107 Of 1958, The Greenwood County Appropriations Act, So As To Eliminate From Certain Sections The Requirement Of Approval By The Senator.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 4 of Act No. 1107 of 1958 is amended to read as follows:

“Section 4. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1958-1959, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein-

appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the majority of the Greenwood County Legislative Delegation. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board."

SECTION 2. Section 6 of Act No. 1107 of 1958 is amended to read as follows:

"Section 6. The Finance Board of Greenwood County, with the approval of a majority of the Greenwood County Legislative Delegation, be, and they are hereby authorized and empowered to make such regulations or take such action as may be necessary under the emergency, which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provisions that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action."

SECTION 3. Section 10 of Act No. 1107 of 1958 is amended to read as follows:

"Section 10. A majority of the Greenwood County Legislative Delegation, after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs, are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claim unless so drawn."

SECTION 4. Section 11 of Act No. 1107 of 1958 is amended to read as follows:

"Section 11. There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by a majority of the Greenwood County Legislative Delegation for the following purposes, to wit: clerical assistance to the Board, compensation and travel expenses of the appointed members of the County Board of Education, aid for school bus transportation, and for such other educational purposes as may be determined by the County Board of Education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, and travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold, the proceeds therefrom, subject to the orders of the County Board of Education for Greenwood County."

SECTION 5. Section 13 of Act No. 1107 of 1958 is amended to read as follows:

"Section 13. Any officer or employee who disregards any of the provisions of this act without the written consent of a majority of the Greenwood County Legislative Delegation kept on file in the office of the County Treasurer, shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law."

SECTION 6. Section 18 of Act No. 1107 of 1958 is amended to read as follows:

"Section 18. Any funds accumulating in the hands of the treasurer from the general fund of the county or any other sources during the fiscal year 1957-1958 and the fiscal year 1958-1959 in excess of the funds required for the purposes specified by this act shall be used for a contingent fund and shall be expended only upon the approval of a majority of the Greenwood County Legislative Delegation."

SECTION 7. All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R215, H1437)

No. 437

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not To Exceed The Sum Of One Hundred And Fifty Thousand Dollars For The Purpose Of Building, Improving And Repairing Roads Of The County, To Repay The General Fund Of The County Certain Sums Previously Expended, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Greenwood County may borrow money.—The Finance Board of Greenwood County is hereby authorized to borrow not to exceed the sum of one hundred and fifty thousand dollars, and to issue notes of the county therefor.

SECTION 2. Proceeds.—The proceeds of the loan shall be used for the building, improvements and repair of roads and for replacement in the general fund of the county, funds which have been expended or may be expended by Greenwood County for the building of roads, road repairs and road improvements since the beginning of the fiscal year 1958-1959, which is in addition to the monies or funds spent or to be spent under Section 2, Item 1, of the Greenwood County Appropriation Act for the fiscal year 1958-1959.

SECTION 3. Notes — maturity — interest — redemption.—The notes may be issued under such terms and conditions as the Finance Board may prescribe. Any notes so issued or payments thereunder shall mature as the Finance Board shall determine; however, no note shall mature later than ten years from the date of this act. The notes shall bear such rate of interest as the Finance Board may determine. Any note issued pursuant to this act may, at the discretion of the Finance Board, contain a provision permitting its redemption prior to its stated maturity.

SECTION 4. Execution.—The notes shall be executed in such manner as the Finance Board shall prescribe.

SECTION 5. Exempt from taxes.—The notes and all interest to become due thereon shall have the tax-exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 6. Payment.—For the payment of the notes, with interest thereon, the full faith, credit and taxing power of Greenwood Coun-

ty shall be pledged, and the Auditor and the Treasurer of Greenwood County, respectively, are hereby directed to levy and collect annually a tax upon all taxable property in the county, sufficient to pay the principal and interest on the notes as they respectively mature. In addition thereto, there is also pledged the sums received by Greenwood County from time to time, pursuant to Section 65-1074, Code of Laws of South Carolina, 1952, from the distribution of the one-cent per gallon tax, imposed pursuant to Section 65-1062, Code of Laws of South Carolina, 1952, on the sale of gasoline, or any substitute thereof, or any combination thereof, except that such pledge shall be subject to the outstanding bonds issued pursuant to Act No. 729 of the Acts of the General Assembly, 1946, there being still outstanding two hundred thousand dollars of the bonds issued by Greenwood County pursuant to the act, of an original principal issue of six hundred thousand dollars, the first issue of two hundred eighty thousand dollars having been dated October 1, 1946, and the second issue of three hundred twenty thousand dollars having been dated October 1, 1947. The Treasurer of Greenwood County, subject to the terms of the bonds already issued, shall set apart such revenues from said gas tax in a special fund and apply them solely to the payment of principal and interest of all notes authorized by this act, so long as any principal or interest of such notes remain outstanding. The annual ad valorem tax herein directed to be levied shall be reduced each year by the amount derived from the one-cent gasoline tax, as aforesaid, actually in the hands of the treasurer at the time the tax for such year is required to be levied, and the tax may be entirely suspended for any year in case such monies on hand, applicable as aforesaid, are sufficient to pay such principal and interest then due or falling due in such year and remaining due and unpaid.

SECTION 7. Saving clause.—If any phrase, clause, sentence, or paragraph of this act shall be declared unconstitutional, it shall not affect the constitutionality of any other phrase, clause, sentence or paragraph hereof.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R400, H1638)

No. 433

An Act To Authorize The Finance Board Of Greenwood County To Borrow Not Exceeding Thirty-One Thousand Dollars To Refinance An Existing Obligation For The Purchase Of Property For Industrial Development And To Provide For The Payment Of Same.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Finance Board of Greenwood County may borrow money.—In order to refinance an existing obligation for the purchase of industrial development property, the Finance Board of Greenwood County is authorized to borrow the sum of not exceeding thirty-one thousand dollars, if so much be necessary, from any bank or agency it may select. The indebtedness shall be evidenced by note or notes and bear such rate or rates of interest as the board may determine. The indebtedness shall be paid within one year from the date of the note or notes, *provided*, however, if the real estate purchased by the board for industrial development should be sold within the period of one year, the indebtedness together with interest thereon shall forthwith be paid out of the purchase price for the property sold.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R512, H1792)

No. 439

A Joint Resolution To Provide For The Appointment Of A Commission, To Be Known As The "Governmental Study Commission", To Study The Operation Of County And Municipal Governments In Greenwood County And To Make Recommendations Regarding The Economy, Efficiency And Needed Changes In Such Operations And The Supporting Tax Structures For Such Operations; And To Repeal A Joint Resolution Of 1959 Bearing Ratification No. 89.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood County—Governmental Study Commission created—members.—There is hereby created a commission which shall be known as the “Governmental Study Commission.” The Commission shall be composed of twelve members who shall be appointed by the Greenwood County Legislative Delegation.

SECTION 2. Organizational meeting — officers — employ personnel—expenses.—The Commission shall hold its first meeting in Greenwood as soon as practicable after its appointment, and shall hold subsequent meetings at such places and times as may be designated by the Commission. At its first meeting the Commission shall complete its organization by electing a Chairman, Vice-Chairman and Secretary. The Secretary may or may not be a member of the Commission. The Commission may from time to time employ, with the approval of the Legislative Delegation, such professional and secretarial assistance as required. The expenses of such assistance shall be paid from the general fund of the county by the county finance board upon vouchers signed by the Chairman of the Commission.

SECTION 3. Duties.—The Commission shall devote itself to the following matters:

(a) A study of the present structure of the county and municipal governments with respect to the functions of their several departments and institutions, and recommend such changes or combinations as may be considered in the interest of efficiency, economy, and the elimination of duplicated functions.

(b) A study of the revenue structure and the present financial situation of the county and municipal governments in relation to their normal operating costs and their revenues applicable thereto.

(c) A study of the trend of cost of the county and municipal governments, and the development of a basic plan for maintaining sound and balanced operations.

SECTION 4. Powers.—The Commission may require from each or all of the county's and municipalities' departments, institutions, or agencies such information, documents, or records as may be deemed necessary to the proper performance of its duties, and each of the departments, institutions, or agencies is hereby directed to submit to the Commission such information, documents, or records as may be requested by the Commission.

The Commission may designate associate members to serve on such subcommittees or task forces as the Commission may deem necessary.

SECTION 5. Report of findings.—The Commission shall file a full report of its findings and recommendations by January 1, 1960 to the Greenwood County Legislative Delegation.

SECTION 6. Repeal—Joint Resolution No. 434 of 1959 repealed.—A Joint Resolution of 1959, bearing Ratification No. 89, and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 7. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R530, H1749)

No. 440

An Act To Provide For Levy Of Taxes For Greenwood County For The Fiscal Year 1959-1960, And For The Expenditure Thereof; To Require Monthly Reports Of Receipts And Disbursements; To Provide For Emergency Financing Of The County And Its School Districts; To Provide For The Sending Out Of Tax Notices, Fixing School District Levies And For A General School Levy, And For the Expenditure Thereof; To Limit The Use Of The County Equipment And Labor; And To Provide Penalties For The Violation Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient mills to pay the appropriations for Greenwood County hereafter made for the fiscal year beginning July 1, 1959 and ending June 30, 1960, after crediting against the appropriation all other revenue anticipated to accrue to the county during the fiscal year, not earmarked for specific purposes, is hereby levied upon all the taxable property of Greenwood County. The amount of millage shall be determined by the County Auditor in consultation with the Legislative Delegation and the Finance Board of Greenwood County.

SECTION 2. There is hereby appropriated for Greenwood County for the fiscal year beginning July 1, 1959 and ending June 30, 1960, the following sums of money in the amounts and for the purposes herein set forth as follows :

Item 1. Road Maintenance Supervision :

A-1. Groceries	\$ 10,500.00
A-2. Salaries and Labor	40,000.00
A-3. Fuel Oil and Grease	16,000.00
A-4. Bridge Material	12,000.00
A-5. Road Material	11,000.00
A-6. Clothing and Camp Service	6,800.00
A-7. Medical Service and Medicine, Insurance on county equipment and miscellaneous items	4,500.00
A-8. Parts and Repairs	23,000.00
A-9. Maintenance and Building of Surface treated Roads.	

The Supervisor of Greenwood County shall be responsible for repairing and maintaining all improved and surface treated roads in the County System. He further shall be responsible for making, grading, improving, and building such surface treated roads as might be designated from time to time by and for which funds have been appropriated by the Greenwood County Legislative Delegation.

Subtotal	\$123,800.00
B. Supervisor's Salary	\$ 5,100.00
C. Auto Upkeep and Traveling Expenses for Supervisor	600.00
D. Secretary of the Finance Board and Secretary of Greenwood Fair Ground Commission and Clerk of Finance Board	5,100.00
E. Auto Upkeep	300.00
F. Secretary to Supervisor and Finance Board	2,840.00
G. County Physician	600.00
Serving chain gang, jail and cases approved by the Department of Public Welfare anywhere in Greenwood County; <i>provided</i> , the County Phy- sician shall be selected by a majority vote of the Finance Board.	

TOTAL ITEM 1 \$138,340.00

Item 2. Law Enforcement:

A. Sheriff's Salaries and Transportation:

A-1. Sheriff's Salary	\$ 5,100.00
A-2. Five Deputy Sheriffs at \$3,740.00 each	18,700.00
A-3. Secretary to Sheriff	2,600.00
A-4. Transportation of Prisoners	500.00
A-5. Auto Upkeep and Traveling Expenses for Sheriff and Deputies	4,200.00

B. Constables:

B-1. At Ninety Six Cotton Mill	3,690.00
<i>Provided</i> , the Ninety Six Cotton Mill shall reimburse Greenwood County for \$1,845.00.	
B-2. His Auto Upkeep and Traveling Expenses	200.00
<i>Provided</i> , that Ninety Six Cotton Mill shall match this travel with the same amount.	
B-3. Matthews Mill (2 at \$3,690.00 each)	7,380.00
<i>Provided</i> , that Matthews Mill shall reimburse Greenwood County in the sum of \$3,690.00.	
B-4. Their Auto Upkeep and Traveling Expenses ..	300.00
<i>Provided</i> , that Matthews Mill shall match this travel with the same amount.	
B-5. At Panola Mill	3,690.00
<i>Provided</i> , however, that Panola Mill shall reimburse Greenwood County in the sum of \$1,230.00.	
B-6. His Auto Upkeep and Traveling Expenses	100.00
<i>Provided</i> , that Panola Mill shall match this travel with the same amount.	
B-7. At Ware Shoals, County's one-half part of four constables at \$1,845.00 each	7,380.00
B-8. Their Auto Upkeep and Traveling Expenses for Chief of Police and Deputies at Ware Shoals ..	300.00
<i>Provided</i> , that Ware Shoals shall match this travel with the same amount.	
B-9. Harris Mill	3,690.00
<i>Provided</i> , Harris Mill shall reimburse Greenwood County in the sum of \$1,845.00.	
B-10. Auto Upkeep and Travel Expense, Harris Mill Deputy	200.00
<i>Provided</i> , Harris Mill shall match this travel with the same amount.	

Provided, that the appropriations for auto expenses and traveling expenses provided for in Item 2, B-2, B-4, B-6, B-8, B-10, shall be paid to the respective mill companies and shall be disbursed by them.

- B-11. Ware Shoals West End—Law Enforcement, two Deputies, salary to be fixed by association. 3,700.00
 This fund is intended to match the funds provided by West End Merchants Association for law enforcement in that community. Payment from the fund shall be made only on written orders of the Secretary of the Association, to which must be attached a sworn statement of the Secretary showing the purpose of the proposed expenditure, that it has been authorized by a majority of the Association and that the Association has already expended a like amount for the same purpose.
- C. Jail Expenses, including dieting of prisoners at \$1.25 per day 7,200.00
- D. National Guard Units 1,500.00
Provided, that this amount shall be divided among the various units located in Greenwood County.
- E. One-half of Fingerprint and Picture Record of all prisoners (Other half by city) 360.00
- F. Secret Service Work 200.00
Provided, that a portion of this fund may be used for the purpose of taking photographs to be used as evidence in criminal cases.
- G. Officers' Uniforms 1,600.00
Provided, that this appropriation shall be disbursed as follows: Five Deputy Sheriffs in the Sheriff's Office shall be allowed the sum of one hundred and fifty dollars each; two Deputy Sheriffs at Matthews Mill the sum of seventy-five dollars each (county's half part); one Deputy Sheriff at Ninety Six Cotton Mill, seventy-five dollars (county's half part); four Deputy Sheriffs at Ware Shoals Cotton Mill, seventy-five dollars each (county's half part);

one Deputy Sheriff at Harris Mill, seventy-five dollars (county's half part) ; one Deputy Sheriff at Panola Cotton Mill, one hundred dollars (county's two-thirds part) ; Del. Tax Collector \$150.00.

H. Insurance on Officers' Cars	2,100.00
I. Clerk of Court	1,300.00
The office of clerk of court is a fee office supplemented by the amount provided above, and the clerk is required to pay from his fees, including this supplement, the salaries of his employees and office expenses, and it is hereby declared that such has always been the case; <i>provided</i> , however, that should the clerk's income be less than \$5,100.00 after payment of salary of clerk in the amount of \$2,700.00 and such temporary or emergency assistance paid on a proportionate basis, and after payment of office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.	
J. Attorney	1,200.00
<i>Provided</i> , the said attorney shall be selected by majority vote of the Finance Board.	
K. Coroner :	
K-1. Salary	940.00
K-2. Telephone at his residence	37.00
K-3. Travel	120.00
L. Post Mortems, Inquests and Lunacies	2,000.00
M. Inquest Jurors	500.00
N. Magistrates :	
N-1. Ware Shoals	1,800.00
N-2. Greenwood	3,900.00
N-3. Ninety Six	900.00
N-4. Hodges and Cokesbury	420.00
N-5. Troy	102.00
N-6. Oak Grove	102.00
N-7. Clerk for Greenwood Magistrate	2,600.00
O. Jurors and Witnesses in Circuit Court	8,000.00
<i>Provided</i> , that Jurors and Bailiffs receive six dollars per day each and ten cents per mile one way for term.	

- P. Jurors serving in Magistrates' Courts in Criminal cases only 200.00
Provided, that Jurors serving Magistrates' Courts shall receive two dollars per day.

Q. Judge of Probate:

The office of the Judge of Probate is a fee office and the Judge of Probate is required to pay from his fees the salary of his clerk and expenses as has always been the case; *Provided*, that should the Judge of Probate's income be less than \$5,100.00 after payment of salary of clerk in the amount of \$2,700.00, and such temporary or emergency assistance paid on a proportionate basis and office expenses, the county shall pay the difference upon showing made by affidavit of income and expenses.

- R. Clerical Assistance, Probation Officer, Greenwood County share 423.93
 S. Clerical Assistance for Solicitor 600.00

TOTAL ITEM 2 \$ 99,834.93

Item 3. Education and Agriculture:

A. Salaries:

- A-1. County Agent \$ 360.00
 A-2. Negro Home Agent's Salary and Travel 480.00
 A-3. Supplies for Home Demonstration Agent 50.00
 A-4. Home Demonstration Work for Girls 100.00
 A-5. Home Demonstration Work for Negro Girls .. 75.00
 A-6. Boys' 4-H Club Work 100.00
 A-7. Negro Boys' 4-H Club Work 75.00
 A-8. Clerical Assistance—Negro Agent 600.00
 A-9. Superintendent of Education, Salary 975.00
 This amount in addition to the amount provided by the State provides a total salary for the Superintendent of Education of \$5,100.00.
 A-10. Adult Education 1,500.00

B. Travel Allowance:

- B-1. Vocational Agriculture Teacher 240.00
 B-2. Superintendent of Education 300.00

C. Rents:

C-1. Rent on Public Cotton Platform	120.00
C-2. Colored County Agent's Office	135.00
C-3. For expenses for fire control	1,800.00
<i>Provided</i> , fire wardens shall each receive the sum of \$600.00 as expense and for expenses for fire ranger the sum of \$600.00.	

TOTAL ITEM 3\$ 6,910.00

Item 4. Collection of Taxes:

A. Salaries:

A-1. Treasurer's Salary	\$ 1,800.00
This amount in addition to the amount provided by the State provides a total salary for the Treasurer of \$5,100.00.	
A-2. Chief Clerk for Treasurer	2,840.00
A-3. Assistant Clerk for Treasurer	2,600.00
A-4. Travel and Official expenses for treasurer	220.00
A-5. Auditor's salary	1,800.00
This amount in addition to the amount provided by the State provides a total salary for the Auditor of \$5,100.00.	
A-6. Travel allowance for Auditor	220.00
A-7. Chief Clerk for Auditor	2,840.00
A-8. Assistant Clerk for Auditor	2,600.00
A-9. Tax Collector	3,740.00
A-10. Secretary to Tax Collector	2,600.00
B. Auto Upkeep and Maintenance of Tax Collector	775.00
C. Board of Assessors	2,700.00
D. Sending Out Tax Notices:	
D-1. Treasurer's Office	875.00
D-2. Delinquent Tax Collector's Office	315.00

TOTAL ITEM 4\$ 25,925.00

Item 5. Health Service:

A. County Health Unit	\$ 27,790.00
<i>Provided</i> , that the County Health Department shall furnish the County Finance Board with one itemized statement of the expenditure of this money.	

B. Charity Patients at Self Memorial Hospital or other institutions as approved by Department of Public Welfare	21,666.67
C. Brewer Hospital, for charity patients	10,833.33

TOTAL ITEM 5\$ 60,290.00

Item 6. Public Welfare and Other Assistance:

- A-1. For boarding homes and other relief and matching state funds if needed; *provided*, that \$2,500.00 appropriated in the 1958-1959 Supply Act, or any portion thereof remaining on June 30, 1959, shall be used for this purpose during the fiscal year 1959-1960.

Provided, should this amount be exhausted during this fiscal year the finance board is authorized to transfer from the general fund to the county the actual amount needed for this purpose, not to exceed \$2,500.00.

Provided, that Department of Public Welfare shall assume full responsibility for the welfare of the paupers of Greenwood County.

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| A-2. Telegrams and Long Distance Telephone calls .. | 100.00 |
| A-3. Expenses of Child Welfare Worker | 600.00 |

Provided, that the above sum shall be payable in equal monthly installments of \$50.00 without the necessity of itemizing same.

C. Veterans' Service Office:

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|--------------------------------------|----------|
| C-1. Salary of Service Officer | 4,900.00 |
| C-2. Salary of Office Help | 2,600.00 |

Provided, from the amount appropriated in Item 6, C-1 for the Service Officer, he shall pay all expenses of travel and other official expenses.

Provided, further, the funds, if any, provided by the State for the support of Veterans' Service Officer of Greenwood County shall be applied to the payment of the foregoing salaries and expenses and not duplicated.

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| C-3. Office Rent for Service Officer | 408.00 |
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TOTAL ITEM 6\$ 8,608.00

Item 7. Contractual Services:

A. Public Buildings, including water, fuel, lights and insurance	\$ 10,000.00
Repairs at Lander College	6,500.00
B. Printing, postage and stationery, stamps, adding machine and typewriter supplies and for indexing of books, repair and purchase of books	12,120.00
D. Telephone and Telegrams	3,610.00
Telephones shall be located one each in the office of the Sheriff, Supervisor, Treasurer, Auditor, Superintendent of Education, Clerk of Court, Judge of Probate, Grand Jury Room, Service Officer, Tax Collector, Home Demonstration Agent, one in Colored County Agent's office and one each in the homes of the Sheriff, the five Deputy Sheriffs stationed at the Courthouse, the Chief Deputy Sheriff's stationed at Ware Shoals Manufacturing Company, Matthews Cotton Mill, Panola Cotton Mill, Harris Mill and Ninety Six Cotton Mill; <i>provided</i> , one-half of the necessary charges for the telephone service in the homes of the deputies stationed in the cotton mill villages shall be contributed by the respective cotton mill companies. All long distance messages shall be itemized and verified before payment from this fund.	
E. Janitor Service	3,796.00
<i>Provided</i> , that the Old Courthouse Building and new annex thereto and Health Department building shall be serviced from this sum.	
F. Auditing County Books	1,500.00
G. Typing Audit Reports	50.00
H. Paupers' Funerals	300.00
I. Workmen's Compensation Fund	2,000.00
J. Premiums of Officers' Bonds	1,525.00
K. South Carolina Retirement System and Social Security	8,775.00
L. Servicing radios in Sheriff's cars	600.00
TOTAL ITEM 7	\$ 50,776.00

Item 8. Domestic Relations Court:

A. Salaries:

A-1. Judge	\$ 3,900.00
A-2. Probation Officer	3,600.00
A-3. Secretary	2,700.00

B. Travel Allowance:

B-1. Probation Officer, Travel	300.00
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Provided, that the above sum shall be payable in equal monthly installments of \$25.00 without the necessity of itemizing same.

C. Telephone, Stationery, Stamps and Office Supplies	1,250.00
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D. Fund for Mental Examinations and Detention Care	300.00
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TOTAL ITEM 8\$ 12,050.00

Item 9. Miscellaneous Contingent fund for the purpose of taking care of emergencies that may arise and unforeseen expenditures during the fiscal year 1959-1960

\$ 5,000.00

Provided, that in no event shall any portion of this appropriation be used for an account for which there is a specific appropriation made in this act.

TOTAL ITEM 9\$ 5,000.00

GRAND TOTAL\$407,733.93

Anticipated Revenue 1959-1960 other than taxation:

Fines, Forfeitures and Licenses	\$ 50,000.00
Insurance License Tax	27,000.00
Beer, Wine and Whiskey Tax	40,000.00
Delinquent Taxes and Execution Fees	20,000.00
Bank Tax	3,000.00
Reimbursement from industrial companies for constables	8,610.00
Revenue from Income Tax	27,500.00
State Contribution for Service Officer	4,500.00
National Forest Fund	6,000.00

Unpledged Revenue from Gasoline Tax 15,000.00

TOTAL \$201,610.00

Balance to be Raised by Taxation \$206,123.93

SECTION 3. All fines collected in the Circuit Court in Greenwood County shall in all cases where the arrest was made or the charges preferred by the police officers of the City of Greenwood or of the Town of Ninety Six and where they appear as material witnesses in such cases, be equally divided, one-half thereof being paid into the county treasury, and one-half thereof being paid to the City Clerk and Treasurer of the City of Greenwood or the City Clerk of the Town of Ninety Six, as the case may be.

SECTION 4. The amounts herein appropriated shall be paid out as near as practicable one-twelfth each month during the year 1959-1960, and if any item or salary has been overpaid for any month, such overpayment shall be deducted the following month. All accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, the amounts herein appropriated for the specific items as set out herein shall not, nor shall any part thereof, be used for any other purpose except upon the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County. *Provided*, further, no claim or bill shall be approved or paid unless same shall state fully, under oath, what it is for, or give the kind or quality of thing or commodity which it represents, in addition to the amount and time furnished. The money herein appropriated for auto upkeep and travel and for other expenses of county officials shall be paid out only upon itemized claims which have been verified by the official incurring the expenses and approved by the Supervisor and the Clerk to the Finance Board.

SECTION 5. The County Supervisor shall make a quarterly report to the Foreman of the Greenwood County Grand Jury and to the Secretary of the Greenwood County Legislative Delegation of itemized statements of receipts and disbursements of county funds and the purposes for which same were used during the preceding months.

SECTION 6. The Finance Board of Greenwood County, with the approval of the Senator and a majority of the members of the House of Representatives from Greenwood County, be, and they are hereby

authorized and empowered to make regulations or take such action as may be necessary under the emergency, which may arise before the convening of the next session of the General Assembly, for the financing of the affairs of Greenwood County, both the general county matters and all school matters, with the further provision that a full and complete record of any action taken under the provisions of this section shall be kept by the Secretary of the Finance Board; *provided*, before any action is taken by the Finance Board in connection with this section, it shall call a joint meeting of the members of the Greenwood County Legislative Delegation in the General Assembly and the Finance Board to discuss such action.

SECTION 6-A. In case of emergency the Finance Board of Greenwood County may with written approval of the Greenwood County Legislative Delegation borrow sufficient funds to carry out the terms of this act or to meet such emergency, pledging as security therefor any surplus in the sinking fund, general fund, or by tax levy when approved by the Delegation.

SECTION 7. In addition to his duties as now provided by law the Clerk to the Finance Board shall act as Purchasing Agent for Greenwood County. All items or articles to be purchased except purchases arising under a regular expense account set up in this act shall be proceeded through the Clerk to the Finance Board, and before any such purchase is made same must be acted on and approved by the Finance Board.

SECTION 8. The Finance Board is hereby directed and empowered to take charge of, maintain, and operate the water line or main leading to the Greenwood County Fair Grounds. The board is further empowered to fix charges for tapping and to permit tapping under such conditions and terms as the board may prescribe.

SECTION 9. Immediately upon receiving tax duplicates from the County Auditor, the County Treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the said taxpayer for the current year, with such other information as the said County Treasurer may deem desirable. This service to the taxpayers being gratuitous, no obligation shall rest upon the County or State, or County Treasurer for any failure or mistake on the part of the County Treasurer in giving or failing to give the notice.

SECTION 10. The Senator and a majority of the members of the House of Representatives from Greenwood County after consulting with the Superintendent of Education and the trustees of the respective school districts as to their respective needs are hereby authorized to determine and fix the levy for school purposes for each school district in Greenwood County. The school trustees in each district in Greenwood County are hereby directed to see that all claims presented for payment are duly itemized and verified and shall state the purpose for which the said claims are drawn and the County Superintendent of Education is hereby prohibited from approving any claim unless so drawn.

SECTION 11. There is hereby levied on all the taxable property of Greenwood County such millage as shall be determined by the Senator and the majority of the Greenwood County Legislative Delegation for the following purpose, to wit: clerical assistance to the Board, compensation and travel expenses of the appointed members of the County Board of Education, aid for school bus transportation, and for such other educational purposes as may be determined by the County Board of Education. Each of these members shall be paid five dollars per day for each day's attendance on meetings of the board, and travel at the rate of five cents per mile in going to and from the place of meeting and the secretary in addition thereto shall receive five dollars per month. The auditor is hereby authorized to put on the books, and the treasurer to collect and hold the proceeds therefrom, subject to the orders of the County Board of Education for Greenwood County.

SECTION 12. The equipment owned by Greenwood County, the chain gang labor and labor of county employees shall not be used except on the public works and for the public purposes of Greenwood County; *provided*, however, the Finance Board may permit the use of such equipment and labor in aid of eleemosynary institutions serving the people of Greenwood County on such terms as the board may deem proper. The County Supervisor shall report the use of such equipment and labor by eleemosynary institutions in his monthly reports of receipts and disbursements.

SECTION 13. Any officer or employee who disregards any of the provisions of this act without the written consent of the Senator and a majority of the members of the House of Representatives from Greenwood County kept on file in the office of the County Treasurer,

shall be guilty of a malfeasance in office and subject to removal, in addition to the punishment now provided by law.

SECTION 14. The Clerk of Court and the Judge of Probate of Greenwood County may make a charge of fifteen cents per hundred words for the recording of all documents required to be typewritten, which are actually typed in the respective offices and for which there is no regular form.

SECTION 15. A majority of the qualified electors of Greenwood County having voted in favor of financial support of Lander College at the election held on May 2, 1951, the Auditor of Greenwood County is authorized and directed to levy, and the Treasurer of Greenwood County to collect, a tax not to exceed four mills on all of the taxable property in Greenwood County, the proceeds of which shall be used in conjunction with other college revenues to defray the operating expenses of the college.

SECTION 16. The Finance Board will pay claims out of the appropriation of Item 5-B for the benefit of white charity patients who are citizens of Greenwood County only when submitted in an itemized form by the hospital rendering the services, showing the name of each person hospitalized supported by the affidavit of the proper officer of the hospital and certificate of the Department of Public Welfare to the effect that they have examined the person's financial ability, and that they have found such person financially unable to pay for his hospitalization, provided that claims submitted for payment will not exceed the actual cost of services rendered which will include only ward rates.

The Department of Public Welfare is hereby designated as the agency to make financial investigations for those patients requesting charity hospitalization, as provided for by an act of the General Assembly, 1958, entitled "An Act To Prescribe The Duties And Responsibilities Of The Greenwood County Department Of Public Welfare Concerning Indigent Patients To Receive Hospital And Medical Care At The Expense Of The County."

Provided, that no person shall be hospitalized as a charity patient for a period of time in excess of ten days, unless the Finance Board shall have previously approved a longer stay. The Finance Board may approve a longer stay if it is made to satisfactorily appear from statements from the Superintendent of the hospital, the doctor in charge of the patient, and the Department of Public Welfare that a longer

stay is absolutely necessary from the standpoint of the patient and the financial condition of the patient warrants a further extension of charity from the county. No extension shall be for a period in excess of ten days. *Provided*, further, that in no event shall more than two thousand five hundred dollars be expended or obligated in any one calendar month for all charity patients.

SECTION 17. After deducting all necessary payments and expenditures in connection with the outstanding bonds for the one cent gasoline tax for the fiscal year 1959-1960, any monies accruing to Greenwood County from this source for that fiscal year shall be used as follows:

- (1) Fifteen thousand dollars shall be used to supplement anticipated revenue other than taxation;
- (2) Twenty-three thousand five hundred dollars to the City of Greenwood for street improvements;
- (3) Fifteen hundred dollars to the Town of Ninety Six for street improvements; and
- (4) The remaining portion shall be placed in the general fund of Greenwood County.

Provided, however, that the sums appropriated to the City of Greenwood and the Town of Ninety Six shall not become due and payable until the amounts above pledged to the bond issue and to anticipated revenue have been paid.

SECTION 18. Any funds accumulating in the hands of the treasurer for the general fund for the fiscal year 1959-1960, in excess of the funds required for the purposes specified by this act, shall be used as a contingent fund and shall be expended for the following purposes:

Road maintenance and construction; obligations for reimbursements throughout the county for 1959-1960; for purchasing trucks and road equipment; for purchasing automobiles for county officers; and for the expenses of civil defense and any other unforeseen expenses that may arise during the fiscal year. The above appropriations shall be expended upon the approval of the legislative delegation; *provided*, that the Greenwood County Finance Board and the Greenwood County Legislative Delegation shall hold a joint meeting to consider the amount of money available for the above designated purposes and shall determine the amount to be expended for each purpose.

SECTION 19. If any clause, phrase, sentence, paragraph, or section of this act shall be held invalid, same shall not affect the validity of remaining phrases, clauses, sentences, paragraphs or sections.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R535, H1765)

No. 441

An Act To Create And Establish A Sewer District In Greenwood County, To Be Known As Greenwood Metropolitan District; To Define Its Powers And Authority; And To Provide For The Issuance Of Bonds To Provide Funds For Constructing And Establishing A System Of Sewer And Sewerage Disposal For The Protection Of Health In The District And The Establishment And Maintenance Of Proper Sanitary Conditions Therein.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greenwood Metropolitan District created—area.—There is hereby created and established in Greenwood County a district to be known as Greenwood Metropolitan District, with such duties, powers and authority as herein provided, which shall be a body politic and corporate, and be subject to the rules, regulations and provisions of this act. The district shall be comprised of the territory in Greenwood County embraced within the following description:

“Beginning at the center line at the east end of the east-west runway of the Greenwood County Airport and extending in a line due east a distance of 22,000 feet to a point in center line of S. C. Highway No. 246; thence along the center line of S. C. Highway No. 246 in a southeastern direction a distance of 5,125 feet to a point at the intersection of a county road; thence due east for a distance of 5,850 feet to a point; thence due south for a distance of 3,875 feet to a point in the center of S. C. Highway No. 246; thence S. 25° 05' W. for a distance of 5,375 feet to a point; thence S. 64° 05' W. for a distance of 3,800 feet to a point in Wilson Creek just below the junction of Wilson and Coronaca Creeks; thence S. 37° 20' W. for a distance of 3,200 feet to a point; thence S. 13° 20' E. for a distance of 3,950 feet to a point approximately 200 feet

south of S. C. Highway No. 29 and near the old Youngs Chapel School; thence N. $88^{\circ} 00'$ W. approximately parallel to Route 29 for a distance of 6,350 feet; thence S. $53^{\circ} 00'$ W. parallel to road for a distance of 5,700 feet to a point near what is known as Five Points; thence S. $88^{\circ} 30'$ W. parallel to Marshall Road approximately 200 feet on south side for a distance of 3,300 feet; thence S. $71^{\circ} 45'$ W. for a distance of 2,900 feet; thence N. $86^{\circ} 50'$ W. a distance of 2,700 feet to a point approximately 400 feet south of Marshall Road and being in front of Southside Junior High School; thence S. $44^{\circ} 10'$ W. for a distance of 3,900 feet to a point in South Main Street or U. S. Route 25 and 178; thence in a southeastern direction 200 feet parallel to center line of S. C. Highway No. 22 on the south side a distance of 5,500 feet to a point in Southern Railroad at New Market; thence parallel to Blyth Road and then Florida Avenue 150 feet from center line on the south side for a distance of 7,450 feet to a point in the center of the Georgia and Florida Railroad; thence N. $78^{\circ} 20'$ W. for a distance of 4,900 feet to a point at the existing Hard Labor Disposal Plant; thence N. $88^{\circ} 30'$ W. for a distance of 3,950 feet to a point west of a cross-road; thence N. $7^{\circ} 30'$ W. and parallel to a county road 150 feet on west side for a distance of 4,600 feet; thence N. $19^{\circ} 30'$ W. for 3,400 feet to a point in the Seaboard Air Line Railroad; thence N. $19^{\circ} 20'$ E. for 2,050 feet to a point on city limit line of City of Greenwood at Connie Maxwell Children's Home; thence along the city limit line 500 feet to a point near Hillcrest Cemetery; thence N. $36^{\circ} 05'$ W. for 2,600 feet to a point in Southern Railway approximately 500 feet northwest of J. C. Self residence; thence along the center of Southern Railway westward and then northwestward for a distance of 4,700 feet to a crossing leading to W. F. Mauldin residence; thence N. $51^{\circ} 45'$ W. for a distance of 3,000 feet to a point at the intersection of center lines of the Woodlawn road and S. C. Highway No. 72; thence N. $28^{\circ} 30'$ W. along center of Route 72 a distance of 3,850 feet to a point on paved road to Harris Plant; thence along the Harris Plant road in a northeast direction for a distance of 2,900 feet to a point in the Southern Railway at Cothran Siding; thence along the center line of Southern Railway in a northerly direction for a distance of 7,800 feet to a point approximately 100 feet north of a county road crossing; thence northeastward along a county road a distance of 9,500 feet to a point in the center of the intersection of the county road and S. C. Highway No.

254; thence approximately due east a distance of 3,900 feet to a point in center of west end of the east-west runway at the Greenwood County Airport; thence east along the center line of the east-west runway a distance of 5,000 feet to the point of beginning, with all distances being a little more or less."

SECTION 2. Governed by a commission—members—terms—organization quarters.—The district shall be governed by a commission composed of six members. Three shall be residents of the district and shall be appointed by the Governor, upon the recommendation of the Greenwood County Legislative Delegation. The three commissioners of public works of the City of Greenwood shall be ex officio members of the commission and shall serve terms coterminous with their terms of office. Of those members appointed, one shall be appointed for an initial term of two years, one for an initial term of four years and one for an initial term of six years, after which their successors shall be appointed for regular terms of six years. The commission shall be known as the Greenwood Metropolitan Commission. All commissioners shall serve without compensation. Upon their appointment, they shall organize and from among themselves elect a chairman and a secretary and adopt an official seal. They shall procure office quarters within the City of Greenwood where their meetings shall be held and their records kept.

SECTION 3. Powers.—The commission shall have power:

(a) to establish, extend, enlarge, maintain and operate a system or systems of sewer, sewer lines and sewer mains, and such water lines as may be necessary for the proper operation of the sewer system or systems;

(b) to construct, operate and maintain a plant or plants proper and adequate to treat and dispose of sewerage in the district;

(c) to purchase, lease and hold real estate, easements, water rights and property rights reasonably necessary in their judgment for carrying out the purposes of this act;

(d) to purchase or lease existing sewer lines, mains or systems and to make contracts whereby the same may be connected to the lines or systems which the commission may establish;

(e) to make all lawful contracts reasonably necessary for achieving the principal purposes of this act so that ultimately the district may be adequately served by a coordinated and unified system of sewers and sewerage disposal efficiently and economically operated;

(f) to employ such engineering, clerical and other help as they may deem necessary, and fix the salaries and compensation of such employees;

(g) to make any and all regulations which they consider necessary to the construction, establishment, maintenance and proper operation in the district of sewer systems, sewer mains, sewer trunk-lines and sewerage treatment or disposal plants; and

(h) to generally do all things proper and necessary to establish and maintain an adequate system or systems of sewer and sewerage disposal in the district for the protection of health and the establishment and maintenance of proper sanitary conditions therein.

The commission shall not expend any money for the establishment and construction of sewer laterals or the construction of any part of the system other than the main trunk lines necessary to conduct the raw sewerage originating in the main water sheds of the districts to the treating or disposal plants, and for the construction and operation of the necessary treating or disposal plants, and for connecting with such trunk lines any sewer systems now in operation in the district, until such time as the residents of communities within the district, not now having sewer systems, or laterals, shall have provided the necessary funds to meet the cost of construction of any such hereafter desired or needed systems or laterals.

SECTION 4. Condemnation powers.—The commission shall have the power to condemn, for the purposes of this act, lands, easements, water rights, property rights, sewer systems, lines and mains, and the right to connect with or through existing systems, in all cases where any of these things are reasonably required for carrying out this act, and cannot be obtained by contract from the owner or owners, which the commission is willing to make, the right of condemnation to be exercised in the same manner as prescribed for the condemnation of rights-of-ways by counties.

SECTION 5. Records—audits—bids.—The commission shall keep a permanent record of its proceedings, which shall be at all times accessible to the public, and also of all contracts made by it, and an accurate map and plan of the work done and projected, and shall keep proper books showing in detail all moneys received and disbursed by it. The books shall be audited annually by an independent auditing firm selected by the commission. The commission shall advertise for bids for at least thirty days in one or more newspapers

published in the district on contracts for work to be done and materials to be furnished, and shall have the right to reject any and all bids and to enter contracts with the lowest responsible bidders.

SECTION 6. Bond issue if election favorable.—The commission is hereby authorized and empowered, upon the result favorably thereto of the election hereinbelow ordered to be noticed and held, to issue and sell bonds of the district in a sum not exceeding one million dollars, the proceeds of which shall be used by the commission for establishing, construction, extending, enlarging, operating and maintaining sewer systems and lines and proper treatment of disposal plants in the district and necessary water lines. The bonds shall be of the denomination of one thousand dollars or the multiple thereof, and shall bear interest not to exceed five per cent per annum, payable annually or semi-annually, as the commission shall determine. They shall mature all at one time, or in series or installments, as the commission shall determine, but all shall mature within forty years from date. They shall be exempt from all State, county and municipal taxes. The bonds shall be signed by the chairman of the commission and attested by its secretary and the official seal of the district shall be affixed to or impressed upon them. The interest coupons need not be authenticated other than by the facsimile signature of the officials lithographed or engraved thereon. The bonds shall be issued and sold from time to time, and in such amounts as the commissioners shall determine, the sales to be made to the highest bidders for cash, after advertisement, as the commission shall deem proper. No bonds shall be sold at less than par and accrued interest to date of delivery. The commission shall have the right to reject any and all bids as its discretion may dictate.

SECTION 7. Payment—tax levy.—Until the principal and interest of all bonds issued under this act shall be fully paid, there shall be levied annually on all taxable property in Greenwood Metropolitan District, a tax sufficient to pay such interest as it becomes due and to provide a sinking fund sufficient to pay the principal at the date or dates of its maturity. In addition, there shall be levied annually on all taxable property in such district a tax sufficient to operate and maintain such system. The said annual taxes shall be levied and collected by the same officers and in the same manner as is provided for the levy and collection of taxes for county purposes in Greenwood County. The money so collected for the payment of both interest and prin-

cipal shall be applied by or under the directions of the county treasurer to the payment of principal and interest of said bonds as they respectively mature, and pending such application, shall be deposited or invested by or under the direction of the Greenwood Metropolitan District Commission and the county treasurer. The money so collected for operation and maintenance of the system shall be paid over by the county treasurer to the Greenwood Metropolitan District Commission for application to maintenance and operation of the district.

SECTION 8. Proceeds.—The proceeds of the sale of the bonds shall be kept by the County Treasurer as a separate fund and shall be paid out only upon orders or warrants of the Greenwood Metropolitan Commission for the purposes specified in this act.

SECTION 9. Election.—The Greenwood Metropolitan Commission shall, on a date to be fixed by it, not more than eighteen months after the adoption of this act, hold a special election in the district, at which there shall be submitted to the qualified electors in the district the question of issuing bonds of the district under the provisions of this act. The election shall be conducted by the commission, who shall give notice thereof by publication once a week for three successive weeks prior thereto, in a newspaper published in the district, stating the time for the holding of the election and the question to be submitted thereat. The commission shall provide a box and appoint managers at each polling precinct in the district and shall cause to be printed and distributed a sufficient number of ballots to be used in voting in the election. The managers of election at each precinct shall count the ballots and forthwith return the result together with the original ballots and tally sheets to the commission, who shall declare the result. If it shall be determined by the commission that a majority of the votes in the election have been cast in favor of the issuance of the bonds, the bonds may be issued as herein provided; but, if it is determined that a majority of the ballots cast is against the issuance of bonds, they shall not be issued. The validity of the election and the correctness of the declaration of the result thereof shall not be questioned except in a suit, action or proceeding commenced in the Common Pleas Court for Greenwood County within twenty days after the declaration of the result thereof.

SECTION 10. Construct trunk lines and sewerage disposal plants.—The commission, from the proceeds of the sale of the

bonds, shall at once, with reasonable promptness, make contracts for the construction, and construct and operate in the district adequate main trunk lines and construct and establish adequate sewerage disposal or treatment plants and provide for the connecting therewith of existing sewer systems in the district.

SECTION 11. Sewerage to be discharged into main trunk lines —penalties.—After the construction and the commencement of operation of the main trunk lines and the disposal plants, it shall be unlawful for any person in the district to discharge raw or untreated or inadequately treated sewerage or refuse into any ditch, drain or water course in the district, but the same shall be discharged into the main trunk lines for conveyance to the disposal plants. A violation of this section shall be deemed a misdemeanor, and, upon conviction, the violator shall be punished by a fine not exceeding one hundred dollars, or by imprisonment for a period not exceeding thirty days. The commission may also enjoin the discharge of raw or untreated sewerage within the district as a nuisance.

SECTION 12. Powers and duties — further — penalties. — The commission shall at all reasonable times, with their agents and employees, have the right to enter upon the lands whereunder the sewer systems may be laid, for the purpose of proper inspection and keeping them in repair. They shall have the right to make rules and regulations to protect the lines of sewer and the disposal plants and to insure an effective and uninterrupted uniform operation thereof, and to prevent the overloading of the raw sewerage with chemicals or other waste matters detrimental to the operation of the plant and system, and may require industrial plants within the district, using chemicals or other deleterious substances, to make proper provision for the gradual “bleeding” or draining of the chemical or other deleterious waste into the sewer system at such a rate and in such a quantity as to insure a uniform alkalinity so that the treatment at the disposal plants may be effective. They may forbid the introduction into the sewer system of oils, greases and other refuse which tend to clog or obstruct the system. They shall publish their rules and regulations, when they have been framed, in pamphlet form and make copies available to members of the public. From time to time they shall have the authority to alter, amend, and extend such rules and regulations. A violation or breach of the same shall be deemed a misdemeanor, subjecting the offender, upon conviction, to

punishment by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding thirty days, and the commission may also enjoin any persistent violation or violations as a nuisance and as a menace to public health and to public property.

SECTION 13. Survey and map—Greenwood Metropolitan District Commission to supervise all sewer systems within district.—

The commission shall have made a survey and map of the district which shall be kept on file in its office, and which shall show all the lines it shall construct and establish, or which shall be hereafter constructed and established in the district. No sewer system within the district shall hereafter be constructed or enlarged, except under the supervision of Greenwood Metropolitan District Commission.

SECTION 14. City of Greenwood to be subdistrict A of the district—present sewer lines and systems of city not to be affected.—

The City of Greenwood is hereby created as subdistrict A of the Greenwood Metropolitan District, and its government and control of the sewer lines and systems now owned and operated by it shall not be interfered with by this act further than that it shall be required to connect its system with the main trunk lines to be constructed and established by the commission.

SECTION 15. Commission may designate subdistricts.—The commission is authorized and empowered to designate any community in the district, other than the City of Greenwood, and having a sewer system now in existence and operation, a subdistrict, and to identify it alphabetically, as was done in the preceding section as to the City of Greenwood.

SECTION 16. Communities without lateral lines or sewer systems—incorporate and issue bonds if election favorable.—Communities in the district which have no existing lateral lines or sewer systems, but which may now or hereafter desire to have constructed and installed such lines or systems, may become incorporated as a subdistrict and issue bonds or certificates of indebtedness for an amount necessary to install and construct such lateral lines or systems and necessary water lines in the following manner:

A petition signed by one-third of the freeholders in such proposed subdistrict shall be filed with the commission, praying that it order an election in the subdistrict for the purpose of (a) incorporating the

subdistrict; (b) allowing the subdistrict to issue bonds or certificates of indebtedness for an amount necessary to install the desired laterals and necessary water lines and connect the same with the main trunk line, and (c) to provide for the levy of a tax in the proposed subdistrict sufficient to pay the interest on the bonds or certificates of indebtedness to be issued, and create a sinking fund for their payment at maturity. Their maturity date shall not extend beyond the maturity date of the bonds authorized to be issued by the Greenwood District, and the bonds or certificates of indebtedness shall constitute a lien upon the property of the subdistrict. Upon receipt of the petition, the commission shall carefully consider the boundaries, topography, and other features bearing upon the practicability, economy and desirability of creating the proposed subdistrict, and estimate the cost of constructing the proposed system. If, in the opinion of the commission, the creating of the proposed subdistrict is advisable, the commission shall order an election in the proposed subdistrict upon the questions stated in the petition, and shall specify an amount sufficient, according to their estimate of costs, in excess of which no bonds shall be issued. It shall appoint from the residents of the proposed subdistrict managers for the election, fix the time and place for the holding of same, provide a box and ballots therefor, and shall give notice of the time and place of holding such an election by publication thereof in a newspaper published in the district once a week for at least three successive weeks prior to the date for holding the election. Only qualified electors presenting proof of their qualifications and of the payment of taxes then due and payable shall be permitted to vote at the election, the costs and expenses of which shall be paid by the subdistrict in which it is held. The managers shall count the ballots and make their return to the commission, delivering to it the original ballots and tally sheets, and the commission shall, within two days after the managers have made their returns, meet and, by resolution, declare the result of the election. Should the result of the election be in favor of the proposed creation of the subdistrict and of the issuance of bonds and the levy of the tax, the commission shall thereupon certify that the proposed subdistrict has been created and has become a body politic under the name of "Greenwood Metropolitan Subdistrict _____," using the letters of the alphabet for the official designation, assigning to each subdistrict as it may be so created the letter alphabetically following the one assigned to the next preceding subdistrict, and such subdistrict shall thereupon be and become a body politic and

corporate and have the powers and privileges, and be subject to the rules and regulations herein imposed.

SECTION 17. Committee to be appointed for subdivision organization—powers and duties.—The commission shall transmit a copy of its certificate of the creation of such subdivision to the Governor, who shall, upon the recommendation of the Greenwood County Legislative Delegation, appoint three citizens resident in the subdistrict, and freeholders therein, a committee to be known as “The Committee for Greenwood Metropolitan Subdistrict _____.” The committee shall meet immediately after appointment and organize by naming one of their number as chairman, and another as secretary, which committee shall have power to negotiate and execute all lawful contracts necessary for the construction and installation of the proposed laterals or subdistrict sewer systems, subject, however, to the previous approval of the Greenwood Metropolitan Commission, and to execute all bonds or certificates of indebtedness issued by the subdistrict under the provisions of this act.

SECTION 18. Subdistrict to contract with commission for construction of water and sewer lines—no work to be done without approval of commission.—Such subdistrict, through its committee, may enter into a contract with the Greenwood Metropolitan Commission whereby the construction and installation of the necessary water and sewer lines therein shall be done under the supervision of the commission, and no installation or construction of water or sewer lines in the Greenwood Metropolitan District or in any subdistrict thereof, except the City of Greenwood (Subdistrict “A”), shall be done or constructed until and unless all the plans and specifications therefor shall be prepared by the commission. All contracts for any work to be done shall contain a provision that the work shall be done under the supervision of the engineers of the commission, and shall not be paid for until and unless the work done has been approved by its engineers, nor shall any laterals constructed in any such subdistrict be connected with the trunk lines until the commission and its engineers shall have approved and accepted the work.

SECTION 19. If election unfavorable no other election to be held within twelve months.—Where an election in any proposed subdistrict results unfavorably to the creation thereof and the issuance of bonds, no other election shall be held in that subdistrict until twelve months have elapsed after the first unfavorable election, after which another election may be initiated in the same way.

SECTION 20. Unused proceeds may be used to purchase bonds of other subdistricts.—The commission, out of the unused proceeds of the bonds sold by it, shall have power and authority to purchase the bonds or certificates of indebtedness of any subdistrict created under the provisions of this act. The commission shall, upon the payment of the bonds or certificates of indebtedness issued by any subdistrict, pay off and cancel bonds issued by it in an amount equal to the amount of subdistrict bonds so paid off.

SECTION 21. Tax levy if bonds issued.—Whenever a subdistrict is created under the provisions of this act and bonds issued, the commission shall notify the county auditor of that fact and of the amount of bonds or certificates of indebtedness issued by such subdistrict, and it shall thereupon become the duty of the county auditor to levy, and the treasurer to collect, a tax upon the property in the subdistrict sufficient to pay the interest on the bonds or certificates of indebtedness, and to create a sinking fund for their retirement at maturity, and sufficient also to pay the costs of maintaining the laterals in the subdistricts.

SECTION 22. One subdistrict may drain through another—hearing concerning agreement.—Whenever one subdistrict is located so as to naturally drain through another subdistrict and desires to connect through the system in the lower subdistrict, the committee of the two districts are authorized to fix by agreement the amount which the connecting subdistrict should pay for that privilege. In the event the two committees cannot agree on the just and equitable amount to be paid, on petition of either committee, the commission shall give notice to both committees of the time and place at which it will hold a hearing to determine the amount to be paid. The commission shall hold such hearing and fix and determine the just amount that should be paid by the connecting subdistrict towards the costs of the lower subdistrict, basing such determination upon a comparison of the costs of the connection that the upper subdistrict would have to build in the absence of such connection through the lower district, and the amount so fixed shall be paid by the subdistrict desiring to connect with the lower subdistrict before such connection shall be made. The determination of the sum fixed by the commission shall be final and conclusive. No connection shall be permitted or compelled which involves the enlargement of the trunk or lateral lines of the subdistrict through which the connection is sought unless the

entire cost of such enlargement shall be borne by the subdistrict requiring the connection.

SECTION 23. Commission may extend trunk sewer lines.—The commission is authorized and empowered to extend the trunk line sewers in the district as its judgment may dictate.

SECTION 24. Commission to make agreements with City of Greenwood concerning clerical and engineering services and office space.—The commission and the commissioners of public works of the City of Greenwood are authorized and empowered to arrange, by equitable contract, for making available to the commission the engineering and clerical services of its engineering department and office force, upon a basis whereby such services will be available to the commission upon its paying an agreed proportion of the salaries which the engineering forces are paid. The making of similar arrangements for office quarters between the commissioners of public works of the City of Greenwood and the commission is likewise authorized.

SECTION 25. Commission may reimburse persons for present sewerage disposal contracts.—The commission is authorized and empowered to reimburse any person, firm or corporation included in the district for the value of any sewerage disposal contracts that may be now in effect with the Commissioners of Public Works of the City of Greenwood or for such sewerage disposal trunk lines or disposal plants as the Greenwood Metropolitan Commission may determine to be advisable, such reimbursement to be from the proceeds of the bond issue hereinbefore authorized. The value of any such contracts or facilities is to be determined by negotiation, and failing, the same to be determined by arbitration, and for the purpose of such arbitration, the Greenwood Metropolitan Commission shall appoint one arbitrator and the person, firm or corporation affected shall appoint one. If these two agree, the reimbursements as determined by them shall be final and shall be paid. If the two so appointed cannot agree, they shall appoint and call in a third arbitrator, and the determination of a majority of the three shall be final and the award so fixed shall be paid.

SECTION 26. Sewers may be provided by private persons upon approval of Commission.—Where it is desired by individual or private corporations to provide sewers for any development or proposed development within the district, they may, after submitting preliminary

plans to the commission, and receiving its approval, at their own cost, under the supervision of the engineering department of the commission, and in accordance with its directions, construct such sewers and connect the same with the main system of sewers. *Provided*, that the commission's jurisdiction to make and enforce rules and regulations, and to supervise and control extensions and enlargements and maintenance and operation, shall extend to such sewers with the same force as to any other sewers provided for in this act; and, *provided*, they shall pay or secure to be paid to the satisfaction of the commission the reasonably estimated proper proportion of the cost of operating the disposal plant which shall be allocated to such area.

SECTION 27. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 28. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R410, H1706)

No. 442

An Act To Provide For The Levying Of Taxes For Ordinary County And Road Purposes In Hampton County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of sufficient number of mills to pay the appropriations in Hampton County herein made, the amount of such millage to be determined by the county auditor and county treasurer, is hereby levied upon all the taxable property of Hampton County for county purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, as follows :

Item 1. Roads and Bridges:

1-A. Chain Gang Employees:

1. Guards	\$ 10,960.00
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2. Tractorman	3,840.00
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1-B. Chain Gang. Convicts and Supplies	6,000.00
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1-C. Bridges and Culverts:

1. Lumber or Precast Bridges	4,000.00
2. Pipe	2,500.00

1-D. Tractors and Road Machinery, including Operation:

1. Tractors and Machinery	5,250.00
2. Repairs and Operating Supplies	12,000.00

Total Item 1 \$ 44,550.00

Provided, that the Supervisor of Hampton County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspaper published in Hampton County asking for bids for such equipment, materials, supplies, goods, wares, or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the Supervisor may reject any or all bids: *provided*, further, that the Supervisor shall have the right to use gasoline and motor oils in his private automobile while on the county's business.

Item 2. County Officers and Clerks:

2-A. Attorney, salary	\$ 480.00
2-B. Auditor, salary	1,000.00
Auditor, expense	500.00
2-C. 1. Clerk of Court, salary	2,400.00
2. Clerk to Clerk of Court	2,100.00
2-D. Coroner, salary	360.00
2-E. County Board of Commissioners:	
1. Supervisor, salary	3,900.00
Supervisor, expenses	600.00
2. Commissioners (2), salary	2,860.00
3. Clerk, salary	1,800.00
2-F. 1. Judge of Probate, expense	1,800.00
2. Clerk	1,800.00

2-G. Magistrates and Constables:	
1. Magistrates (3)	3,600.00
2. Magistrate, Peeples Township	3,000.00
3. Constables (4)	4,080.00
4. Constable, Peeples Township	3,600.00
5. Constable (special) Pocatigo Township	1,800.00
6. Clerk for Magistrates	120.00
2-H. Physician, salary	480.00
2-I. 1. Sheriff, salary	2,400.00
Sheriff, expense	2,700.00
2. Deputy Sheriffs (2), salary	4,350.00
Deputy Sheriffs (2), expense	4,650.00
<i>Provided, that the salary and expenses of each deputy sheriff shall be the same.</i>	
3. Jailor, salary	1,980.00
2-J. Tax Collector, salary	4,200.00
Tax Collector, expense	300.00
2-K. Treasurer, salary	2,700.00
Treasurer, expense	300.00
2-L. Clerk, Auditor and Treasurer, salary	3,900.00
Total Item 2	\$ 63,760.00
Item 3. Boards and Public Services:	
3-A. Board of Equalization	\$ 200.00
3-B. County Farm Demonstration Office:	
1. Farm Agent, expense	600.00
2. Assistant Farm Agent, salary	2,700.00
3. Clerk	600.00
4. 4-H Club Work and Miscellaneous Supplies	400.00
3-C. County Home Demonstration Office:	
1. Clerk	1,320.00
2. Negro Home Agent	720.00
3. Demonstration Material and Office Expenses	205.00
3-D. Court Expenses (jurors, bailiffs and jury child, five dollars each, per diem and mileage; witnesses, two dollars per diem and mileage; mileage, ten cents per mile one way per term of court)	
	3,000.00
3-E. Department of Public Welfare:	
1. Expenses	2,172.00

2. Relief	4,200.00
3-F. Forestry Board (meetings, members five dollars per diem, each, and mileage ten cents per mile one way per board meeting)	75.00
3-G. Health Center (including Nurse, Supplies, Travel, Malarial Control and School Clinics) ..	6,000.00
3-H. Hospital (subject to Delegation approval to expend)	6,000.00
3-I. Jail Expense, Dieting and Transportation of Prisoners	3,000.00
3-J. Library Service:	
1. Contributions	4,700.00
2. Expenses	600.00
3-K. National Guard Battery Fund Donation	800.00
3-L. Post Mortems, Inquests (including Pauper Funerals), Lunacies and Transportation of Patients	800.00
3-M. S. C. Retirement and Federal Social Security Contribution for County Employees	4,300.00
3-N. Supervisors of Registration (3)	1,200.00
3-O. Vital Statistics, Registrars of Births and Deaths	200.00
3-P. Veterans Service Office:	
1. Service Officer, salary	3,000.00
2. Clerk	2,100.00
3. Travel Expense (meetings out of State)	150.00
4. Office Expense	400.00
Total Item 3	\$ 49,442.00
Item 4. Operation and Upkeep, Offices, Buildings and Grounds:	
4-A. Advertising:	
1. Publishing Supervisor's Monthly Report, Legal Notices of Auditor and Treasurer	\$ 300.00
2. Watermelon Festival (subject to Delegation approval to expend)	750.00
3. Other Advertising, including flowers (subject to Delegation approval to expend)	200.00
4-B. Auditing and Bond Premiums:	
1. Auditing Service, including Annual Settlement Expense	1,500.00
2. Bond Premiums, Officers and Employees	800.00

4-C. Electric Service, Fuel, Water and Insurance (including Workmen's Compensation Premium on County Employees)	8,000.00
4-D. Grounds Beautification	900.00
4-E. Janitor Service (including Armory)	2,560.00
4-F. Postage, Stationery, Office Supplies and Mailing Tax Notices	3,500.00
4-G. Repairs and Supplies (including Sheriff's Radio System)	1,000.00
4-H. Rent (including Forestry and Library)	660.00
4-I. Telephone, Toll Calls and Telegraph Service ..	2,400.00
Total Item 4	\$ 22,570.00
Item 5. Miscellaneous:	
Tax Refunds, Street Taxes to Towns, Execution Fees due Treasurer, and S. C. Sales Tax; only \$	1,200.00
Total Item 5	\$ 1,200.00
1959-60 APPROPRIATION GRAND	
TOTAL FOR FISCAL YEAR	\$181,522.00
Less Estimated Revenues, other than Current Property Taxes:	
Alcoholic Liquor Tax	\$ 12,500.00
Bank Tax	500.00
Beer and Wine Tax	4,000.00
Fines	14,000.00
Gasoline Tax	68,000.00
Income Tax	36,000.00
Insurance (additional) License Fees	6,500.00
Rent	650.00
Rolling Store Licenses	200.00
State Library Board Contribution	500.00
Tax Execution Collections	4,000.00

Tax Execution Fees and Costs	2,500.00
Veterans Service Office	3,900.00

Total Estimated Revenues, Other Than Current Property Taxes	\$153,250.00
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AMOUNT TO BE RAISED BY COUNTY
TAX LEVY, including Commutation Road
Tax\$ 28,272.00

Provided, that the county attorney of Hampton County is hereby required to give each county officer of the county advice when requested for same; *provided*, further, that the Farm Demonstration Agent shall be appointed by the proper authorities by and with the consent of the Legislative Delegation from Hampton County, and shall be subject to removal on request of the Legislative Delegation.

Provided, further, that all revenues provided for by law be collected and placed in ordinary county funds to supplement and provide sufficient funds for all ordinary county purposes.

Provided, that hereafter the janitors of the Courthouse and the county office building shall work and perform their duties under the control and direction of the Clerk of Court and Farm Demonstration Agent, respectively. All claims shall have the approval before payment by at least two members of the County Board and such approval by any two members shall be sufficient to constitute the board's approval.

Provided, further, that nothing herein or otherwise shall be construed as limiting the total compensation, including expense allowance, of any county officer from fees, county or State appropriation, except that all tax execution fees collected shall be remitted to the county treasury for general county purposes.

SECTION 2. No road tax shall be levied except a commutation road tax of three dollars to be assessed and collected from each male citizen between the ages of twenty-one and fifty-five years, inclusive. No one shall be exempt from payment of the commutation tax, except persons totally disabled. All commutation taxes shall be expended on roads and bridges and all of the commutation tax collected from citizens of incorporated towns by the county treasurer shall be returned to the respective towns, except that no refunds of any commutation (street) tax shall be paid to any town for any person whose name does not appear on list filed as herein provided. *Provided*, that the town authorities of Brunson, Hampton, Varnville, Yemassee, Estill, Luray, Scot'a and Furman be empowered to collect the commutation tax from residents within their respective corporate limits. *Provided*, further, that the clerks of the respective towns, on or before September first of each year, furnish a list, duly sworn to, to the county auditor, and copies to the county treasurer and the county board of commissioners, of all persons in their respective towns who are liable to such commutation tax.

SECTION 3. The Auditor and Treasurer of Hampton County shall be and they are hereby, constituted a Sinking Fund Commission of Hampton County, whose duty it shall be to handle all funds collected for the purpose of creating a sinking fund for the retirement of all bonds of the county.

No public funds of Hampton County shall be deposited in any bank or depository unless the bank or depository shall tender to the Treasurer of Hampton County a security equal in value to the funds deposited. The security shall consist of either a surety bond executed by a licensed surety company, United States government bonds, bonds of the State of South Carolina, Federal Land Bank Bonds, or bonds of any political subdivision of the State of South Carolina, after Federal Deposit Insurance Corporation guarantees have been considered, or such other security or securities as shall be approved in writing from time to time by a majority of the legislative delegation.

SECTION 4. The clerk of the county board of commissioners may, at its discretion, and in lieu of requiring submission of salary and expense claims monthly, prepare a monthly payroll in duplicate listing each county employee with supply act item number, monthly salary and/or expense, less required and/or authorized pay deductions and issue County Board of Commissioners' "County Check" in the

usual manner for balance due to each county employee at the close of the last day of each month. The county check number, date and amount shall be entered on the appropriate line on the payroll. Said "County Check" shall be drawn against the county treasurer, payable from the "County Fund" account in the usual manner. Each said monthly payroll shall be approved by the County Board of Commissioners and duplicate filed with the county treasurer. The County Board of Commissioners or its clerk may withhold, or delay issuing a county check to any employee when believed necessary to protect the county's interest.

SECTION 5. The county supervisor and the county commissioners are hereby prohibited to issue any check to any magistrate of Hampton County until the magistrate has filed statement of the names of all parties against whom warrants have been issued during the previous months and the disposal of each case and a receipt from the treasurer for the fines and costs collected by the magistrates during the previous month.

SECTION 6. The county supervisor, upon the request of any county commissioner is hereby authorized to furnish from the chain gang a truck and sufficient number of convicts to do such work on roads and bridges in the county as such commissioners deem necessary.

SECTION 7. All lumber purchased shall be with the approval of two county commissioners and the county supervisor.

SECTION 8. All notices by the county supervisor, county treasurer, county superintendent of education, county auditor and other county officers, provided by statute to be given, may be published in any newspaper published or having circulation in Hampton County; and three hundred dollars set out in Item 4 is for the payment in full of such notices as are published in said paper during the year. *Provided*, however, that the word "notices" above used shall not be deemed to include notices and advertisements of tax sales, and the sum of three hundred dollars is not in payment of the costs of advertising tax sales.

SECTION 9. The county supervisor, treasurer, auditor and clerk of court shall compose a board to purchase all books and stationery for the county.

SECTION 10. No property owned by Hampton County shall be sold, rented or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. The County Treasurer of Hampton County, upon the written direction of a majority of the Hampton County Delegation in the General Assembly, is hereby authorized and empowered to lend from any available funds of Hampton County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Hampton County in need of funds.

SECTION 12. The courthouse and grounds shall be under the custody and control of the Clerk of Court for Hampton County, except that the county office building shall be under the custody of the Farm Demonstration Agent for Hampton County.

SECTION 13. Wherever in the conduct of the affairs of the county, it becomes necessary for the county treasurer to expend money for any matters and things not foreseen at this time, and when the legislative delegation shall approve the expenditure in writing and the approval has been signed by both members thereof, then such expenditures made under such authority are hereby validated.

SECTION 14. On the maturity or payment of any bonded indebtedness of any school district in Hampton County by the county treasurer, the same may be paid by the county treasurer without securing a voucher therefor from the school district trustees, provided the county superintendent of education authorizes such payment in writing.

SECTION 15. From and after the effective date of this act the Sheriff of Hampton County shall not be required to personally serve grand jurors or petit jurors requiring their attendance upon either the Court of General Sessions or the Court of Common Pleas, but such service shall be made by mailing a summons to the last known address of such prospective jurors and no charge shall be made or collected for such service. *Provided*, that the presiding Judge may otherwise order service made personally by the sheriff and in such event, the sheriff shall be paid for same the amounts now allowed for same. Likewise, hereafter the Sheriff of Hampton County shall not be required to serve or summon witnesses in criminal cases except by subpoena duly issued on motion of solicitor or as ordered so to do by the presiding Judge. Such witnesses may be served by mailing a summons to the last known address of such witnesses for which

no charge shall be made or collectible; and it shall be the duty of all magistrates in Hampton County to place under bond all witnesses for the state, blanks for same to be furnished by the clerk of court to the various magistrates.

SECTION 16. All persons actually in the Armed Forces of the United States on active duty shall during such service be exempt from payment of personal property taxes on one vehicle and from payment of road, poll and dog taxes levied for 1959 and/or for any prior year when the above conditions have been met. The county auditor, treasurer, and/or tax collector is authorized to abate or mark "Nulla Bona" such taxes as may be levied; and the county auditor may approve county claim for refund when such taxes have been paid; and in all the foregoing cases be subject to presentation of satisfactory evidence of service in the Armed Forces, provided no dog tax shall be levied for 1959 against any person.

SECTION 17. In the event the clerk of court should have in his official capacity any funds which have been unclaimed for as long as five years, he is hereby authorized to pay same over to the county treasurer, taking his receipt for the same. The county treasurer shall deposit any amount so received in the general county fund.

SECTION 18. There is hereby appropriated the sum of six thousand dollars as carried in Item 3-H of Section 1, if so much be necessary, to Hampton County Hospital for operating expenses. The county treasurer shall make this fund available to Hampton County Hospital on the demand of the board of directors. *Provided*, that the county treasurer shall not make said fund or any portion thereof available without first obtaining the written approval of both members of the legislative delegation. Any additional appropriations that may be necessary in the operation of the hospital may be made by the county treasurer by and with the approval and direction of the legislative delegation of the county.

SECTION 19. All county officers for Hampton County may close their respective offices at twelve o'clock noon on each Thursday and Saturday throughout the year and keep same closed for the remainder of the day, and all day of the Watermelon Festival; except, that any officer may keep his office open for the necessary performance of his duties.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R25, H1089)

No. 443

An Act To Define The Tenor Of All Bonds To Be Issued By The Town Of Aynor In Horry County, Pursuant To The Municipal Bond Act And Other General Statutes.

Whereas, the Town of Aynor in Horry County now proposes to issue bonds pursuant to the Municipal Bond Act—Sections 47-831 to 47-860, inclusive, Code of Laws of South Carolina, of 1952, as amended—for the purpose of obtaining funds to defray the cost of a waterworks system for the said town; and

Whereas, hereafter the said Town of Aynor may again undertake to avail itself of the authorizations of said Municipal Bond Act; and Whereas, heretofore, by Act No. 752 of the Acts of 1958, the Town of Aynor was permitted to increase its tax levy, under the conditions therein stated, to an aggregate of seventy mills and no more; and

Whereas, the limitation of said act has caused doubt to arise as to whether it was intended, in so far as the Town of Aynor was concerned, to limit the otherwise unlimited power of the town to levy taxes for the payment of bonds issued pursuant to the Municipal Bond Act and other general laws permitting municipal corporations of South Carolina to issue general obligation bonds; and

Whereas, it was not intended by such legislation that the tax levy therein prescribed should limit the tax levy required by the Municipal Bond Act or other general laws for the payment of principal and interest of bonds issued pursuant to the Municipal Bond Act and such other general laws, but merely that the annual tax levy for general corporate purposes, exclusive of debt service, be limited to seventy mills. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Act 752 of 1958 not to affect bond issues by Town of Aynor.—Notwithstanding the provisions of Act No. 752 of 1958, all bonds issued by the Town of Aynor, pursuant to the Mu-

municipal Bond Act, or pursuant to any other general law authorizing municipal corporations of this State to issue general obligation bonds, shall be payable in accordance with the provisions of such general laws, and nothing set forth in Act No. 752 of 1958 shall in any way limit or affect any power granted to the Town of Aynor, or to any municipal agency of the Town of Aynor, by way of such general statutes.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R198, H1412)

No. 444

An Act To Authorize And Empower Loris Community Hospital Commission To Issue Not Exceeding One Hundred Twenty Thousand Dollars Of Bonds Of Loris Community Hospital District For Use In Providing Further Public Hospital Facilities For The District, To Prescribe The Conditions Under Which The Bonds May Be Issued, To Specify The Purposes To Which The Proceeds Shall Be Applied, And To Make Provision For The Payment Of The Bonds.

Whereas, a public hospital was established by Loris Community Hospital District in Horry County pursuant to Act No. 742 of the Acts of 1946; and

Whereas, the General Assembly finds that additional hospital facilities are needed in order to render proper hospital care for the residents of the District. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Loris Community Hospital Commission may issue bonds.—The Loris Community Hospital Commission is hereby authorized and empowered to issue and sell general obligation bonds of the Loris Community Hospital District in the principal amount of one hundred twenty thousand dollars for the purpose of acquiring additional hospital facilities and improving existing facilities.

SECTION 2. Issue — maturity — redemption — interest. — The bonds may be in a single issue or in several separate issues, each issue maturing serially in successive annual installments of such amounts as may be determined by the Commission. The first installment shall mature not later than two years, nor the final installment not later than twenty-five years, from the date of the bonds. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as prescribed by the Commission. They shall bear such rates of interest as the Commission may prescribe, payable semiannually, but the interest cost of any issue shall not exceed four per cent per annum. They shall bear such dates and be payable at such places as the Commission may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Horry County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the Commission may prescribe.

SECTION 3. Execution.—The bonds shall be executed in such fashion as the Commission shall prescribe.

SECTION 4. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale on at least ten days notice published in a newspaper of general circulation in South Carolina. In offering the bonds for sale the Commission may reserve the right to reject any and all bids, but if all bids are rejected, the bonds shall be readvertised for sale in the manner of the original notice. If the bids of the second offering be also rejected, then the Commission may effect a private sale at a price not less than the best bid received on the occasion of the two public offerings.

SECTION 5. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Horry County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

- (1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.
- (2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Commission for :

- (a) the cost of issuing the bonds ;
- (b) providing additional public hospital facilities for the District and renovating and improving existing public hospital facilities.

If any moneys shall remain after making the foregoing applications, the same shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of said proceeds to the purposes for which such bonds are issued.

SECTION 6. Payment.—The full faith, credit and taxing power of the District shall be pledged for the payment of the bonds and interest, and the Auditor and Treasurer of Horry County, respectively, shall levy and collect annually a tax upon all taxable property in the District, sufficient to pay such principal and interest as the same respectively mature.

SECTION 7. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R230, H1433)

No. 445

An Act To Authorize The Town Of Ocean Drive Beach In Horry County To Convey Certain Property To Certain Land-owners.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Ocean Drive Beach may convey property.—The Town of Ocean Drive Beach in Horry County may convey to the owners of Lots 8, 9, 10, 11, 12 and 13, of Block

23, as shown on a map of Róbert L. Bellamy, C. E., dated July 31, 1957, and recorded in the office of the Clerk of Court of Horry County, property of such town from the northern boundary of Hillside Drive to the present southern boundaries of such lots.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R280, H1545)

No. 446

An Act To Provide For An Election To Be Held In The Town Of Cherry Grove Beach In Horry County To Determine Whether Or Not Such Town May Purchase, Improve And Operate A Waterworks System And Issue Revenue Bonds Of Such Town For Such Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election on waterworks system for Cherry Grove Beach in Horry County—bond issue.—An election shall be held in the Town of Cherry Grove Beach in Horry County at such time as the town council may designate to determine if the qualified electors of such town are in favor of purchasing and improving the existing waterworks system now in operation in such town, to operate such system to furnish water to persons for reasonable compensation and to issue waterworks revenue bonds of such town in an amount not to exceed one hundred fifty thousand dollars to effectuate such purposes. If the election results favorably for such purposes, then the Town Council of Cherry Grove Beach is authorized to purchase, improve and operate the waterworks system and to issue one hundred fifty thousand dollars of waterworks revenue bonds of the Town of Cherry Grove Beach in accordance with Article 9, Chapter 3, Title 59, Code of Laws of South Carolina, 1952, as amended, which bonds when issued in pursuance of and in accordance with the provisions of such article, as amended, shall be valid, binding and incontestible obligations of the Town of Cherry Grove Beach, payable solely from the

gross revenue to be derived from the operation of such system. *Provided*, that three qualified waterworks appraisers shall be selected by the entire Horry Legislative Delegation for the purpose of appraising the value of the waterworks. The appraisers shall take the actual and potential value of the waterworks into consideration in arriving at such appraised value. The town shall not pay more than the average appraised value determined by the appraisers. The appraisers shall be paid from the proceeds of the revenue bonds unless the town fails to purchase the waterworks, and in such case, the appraisers shall be paid from the general funds of the town.

SECTION 2. Question.—The question submitted to the qualified electors in the election shall be as follows: "Shall the Town Council of the Town of Cherry Grove Beach be empowered to purchase and improve the existing waterworks system now in operation, to operate the system to furnish water to persons for reasonable compensation, and to issue not to exceed one hundred fifty thousand dollars of waterworks revenue bonds of the Town of Cherry Grove Beach for the purpose of purchasing, improving and operating such waterworks system?"

Yes
No"

Suitable instructions shall be given to those voting indicating that those who favor such purchase and bond issue shall deposit a ballot with the word "No" stricken through, and those who oppose the purchase and bond issue shall deposit a ballot with the word "Yes" stricken through. As soon as convenient following the election, the results of the election shall be declared by resolution of the town council and a certified copy of such resolution shall be filed in the office of the Clerk of Court for Horry County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R500, H1719)

No. 447**An Act To Provide For The Operation Of The Government Of Horry County And For The Levy Of Taxes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all of the taxable property of Horry County a sufficient number of mills, not to exceed sixteen mills, to be determined by the auditor from assessment of the property therein, which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For county and school purposes for the said county for the fiscal year 1959-1960 there is appropriated the following :

Item 1. Clerk of Court's Office—Expenses :

Clerk of Court	\$ 5,145.00
Deputy Clerk of Court	3,988.00
First Assistant—Steno-Clerk and Cashier	2,601.90
<i>Provided</i> , the Cashier shall be placed under bond in the same amount as now provided by law for the Clerk of Court.	
Three Assistant Steno-Clerks	6,860.70
Balance on new Photostatic Machine	4,100.00
Jurors and Witness fees	18,000.00

Total, Item 1

\$ 40,695.60

Item 2. Treasurer's Office—Administrative Expense :

Treasurer—County supplement	\$ 2,245.00
Deputy Treasurer	3,360.00
Two Assistant Steno-Clerks @ \$2,178.40 each ..	4,573.80

Total, Item 2

\$ 10,178.80

Item 3. Auditor's Office—Administrative Expense :

Auditor—County supplement	\$ 2,145.00
Deputy Auditor	3,988.00
First Assistant Steno-Clerk	2,601.90
Two Assistant Steno-Clerks @ \$2,286.90	4,573.80
One Assistant Steno-Clerk	2,239.65
One Assistant Steno-Clerk	2,223.90

Equalization Board	1,500.00
Travel for Executive Secretary for County Board of Assessors @ 7¢ per mile not to exceed	1,000.00

Total, Item 3\$ 20,272.25

Item 4. For Policing Horry County:

Sheriff	\$ 5,145.00
Deputy Sheriffs, two @ \$3,900.00 each	7,800.00
Secretary to Sheriff's Office and Coroner	2,286.00
County Police Commissioners, 6 @ \$400.00 each	2,400.00
Chief of County Police	4,800.00
County Police, 8 @ \$3,900.00 each	31,200.00
Secretary to County Police Commission	2,160.00
County Police for Windy Hill Beach	2,000.00
County Police for Surfside and Garden City ...	2,000.00
County Police for Atlantic Beach	643.50
Jailors at Nixons Cross Roads 2 @ \$1,500 each	3,000.00
County Police assigned to the office of Magisterial District No. 1; <i>provided</i> , that he shall serve only Criminal and Civil process issued out of said Magisterial Office	1,890.00
Travel for County Police assigned to Magistrate of District No. 1	600.00
Jailor for Horry County	2,400.00
Assistant Jailor and Night Radio Operator	2,400.00
Jail Matron	1,200.00
For operation and maintenance of County-owned Law Enforcement Equipment	20,000.00
Horry County Jail at Conway	15,000.00
<i>Provided</i> , that all municipal corporations of Horry County shall be charged the sum of \$1.50 per day for the dieting of prisoners in any County Jail.	
Conveying prisoners (For out of County meals only)	500.00
For purchasing Law Enforcement Vehicles and Equipment	29,000.00

Total, Item 4\$136,424.50

Item 5. Probate Judge's Office—Administrative Expenses:	
Probate Judge	\$ 3,885.00
Deputy Probate Judge	2,601.90
Total, Item 5	\$ 6,486.90
Item 6. Coroner, Probation and Tax Collector's Offices—Administrative Expenses:	
Coroner	\$ 1,050.00
Travel for Coroner	1,500.00
Assistant Steno-Clerk to Tax Collector	2,160.90
Part time Secretary for Probation Office	600.00
Travel for Probation Officer	300.00
Inquest and Lunacy	350.00
Total, Item 6	\$ 5,960.90
Item 7. County Court Judge's Office—Administrative Expenses:	
County Judge	\$ 8,190.00
Court Stenographer for County Court	3,591.00
Total, Item 7	\$ 11,781.00
Item 8. Magistrate's Offices—Administrative Expenses:	
Magistrate at Aynor—Salary	\$ 1,968.75
Magistrate at Bayboro—Salary	1,968.75
Magistrate at Myrtle Beach—Salary	1,968.75
Magistrate at Green Sea—Salary	1,968.75
Magistrate at Nixons Cross Roads—Salary...	1,968.75
Magistrate at Loris—Salary	1,968.75
Magistrate at Floyds—Salary	1,968.75
Magistrate at Conway—Salary	2,598.75
Magistrate's Secretary at Conway	2,160.90
<i>Provided, Magistrate's Secretary must be able and it shall be her duty to take down in shorthand and transcribe the testimony in all cases appearing in the Magistrate's Court, where such testimony is requested by either side of any litigated case. Also this secretary shall be available to any other Magistrate for the purpose of taking testimony when necessary and shall be paid</i>	

mileage at the rate of seven cents per mile.

Provided, further, that during the General Sessions Court all county police officers shall be available to the Court and available to aid and assist the Sheriff in calling witnesses and all other work necessary for the orderly procedure of the Court. *Provided*, further, that all county police officers shall serve all subpoenas and civil papers sent to their area by the Sheriff or attorneys or any other officer of the Court. Each county police officer shall make his return when called for, on any civil or criminal service.

Provided, further, no magistrate in Horry County shall receive compensation for his services until his monthly report is accompanied by a probated statement to the effect that regular office hours have been established. Each magistrate shall establish regular office hours at his own discretion, consisting of at least two hours per day, and as much longer as necessary to transact the business of the office; and that magistrates in the incorporated areas of the county maintain office hours the same as now maintained or as long as necessary to transact the business of the office, not including Sundays or legal holidays.

Total, Item 8	\$ 18,540.90
Item 9. (A) County Board of Commissioners—Administrative Expense:	
Chairman of County Board—Salary	\$ 5,145.00
Commissioners—Travel expenses 6 @ \$400.00	2,400.00
Clerk of County Board and Purchasing Agent	3,950.00
Travel for Purchasing Agent	1,000.00
Secretary to County Board, Delegation and Development Board	2,601.90
Courthouse Custodian—employed by County Board	2,601.90
Travel for Custodian	250.00
Purchasing Agent's Account—For Purchasing Agent's Budget for purchasing supplies and Equipment for County Offices	34,889.00

Charities and Donations to be distributed by	
County Board in case of emergencies	750.00
Audit of County Offices	2,500.00
County Attorney	945.00
(B) Miscellaneous Expense—Disbursed as herein provided:	
Public Buildings	12,500.00
Rent Account	3,540.00
Insurance on Public Buildings	3,000.00
Social Security and Retirement	14,500.00
Office Bonds and Contingent Account	13,500.00
Officials' Bonds	1,800.00
Workmen's Compensation	2,500.00
County Employees Group Insurance Fund	2,700.00
Game Wardens' travel, 4 @ \$25.00 per month	1,200.00
Clerk—Horry County Registration Board	300.00
County Service Officer—office help	1,000.00
Service Officer—travel	1,500.00
National Guard—Conway	600.00
National Guard—Myrtle Beach	600.00
Total, Item 9	\$116,272.80
Item 10. Other Administrative Expense:	
County Farm Demonstration Agent's Office:	
County Agent—Supplement	\$ 400.00
First Assistant County Agent	400.00
Two Assistant County Agents	600.00
Boys' 4-H Club Work (White)	250.00
Girls' 4-H Club Work (White)	250.00
Girls' J. H. A. Work (Ocean Drive)	1,000.00
Women's Home Demonstration Agent's Office:	
Material	50.00
Office Supplies	50.00
Negro Home Demonstration Agent	1,800.00
Material (Home Demonstration)	50.00
Negro Home Demonstration Agent's office help	1,800.00
Negro 4-H Club Work (Boys)	100.00
Negro 4-H Club Work (Girls)	100.00
Total, Item 10	\$ 6,850.00

Item 11. Appropriations for Miscellaneous Boards and Commissions:

Marketing Commission, operating expenses . . .	\$ 7,500.00
Coastal Carolina Junior College (Scholarship Fund)	4,000.00
Development Board	500.00

Provided, that the above appropriation shall be disbursed only upon the approval of a majority of the County Development Board assembled in regular session.

Horry County Library Commission:

Provided, that this sum shall be divided as follows:

Library at Myrtle Beach	1,500.00
Library at Loris	900.00
Library at Aynor	600.00

Total, Item 11 \$ 15,000.00

Item 12. (A) Health Department Expenditures:

County Health Unit	\$ 15,800.00
Tuberculosis Clinician	1,000.00
For X-ray Film	500.00
For Indigent and needy Cancer, T. B. and Crippled Children patients	2,000.00

(B) Welfare Department—Expenditures Emergency

Public Welfare—assistance to be disbursed on a quarterly basis	6,000.00
Two Case Welfare Workers	4,369.00
Welfare Department Administrative	1,896.00

Provided, that this money shall be disbursed only on approval by the governing board of the Horry County Department of Public Welfare.

Vital Statistics	1,200.00
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Total, Item 12 \$ 32,765.00

Item 13. County Roads and Chain Gang:

Salaries (Guards, Truck drivers, Machine operators, etc.)	\$ 86,000.00
Chain Gang (Feeding prisoners, clothing and supplies, etc.)	34,000.00
County Roads	100,000.00

Purchasing New Machinery 65,000.00
Purchase and repair of said machinery to be approved by the county board of commissioners or a majority thereof.

Total, Item 13\$285,000.00

GRAND TOTAL (commencing July 1, 1959 and ending June 30, 1960)\$706,228.65
ESTIMATED REVENUES AND AVAILABLE CREDITS:

Income Tax\$ 57,100.00
Gasoline Tax 165,000.00
Liquor Tax 35,000.00
Beer and Wine Tax 10,000.00
Insurance License Fees 25,000.00
Probate Judge, Treasurer, Auditor, Tax Collector, Clerk of Court—Fees 45,000.00
Clerk of Court Fines and Magistrates' Fines.. 80,000.00
Bank Tax 3,000.00
Miscellaneous Revenues 35,000.00
Fees from Service of Civil Process and Bad Check Warrants 20,000.00

Total Estimated Revenue\$475,100.00

TOTAL AMOUNT TO BE RAISED BY TAXES\$231,128.65

SECTION 2. The county board of commissioners is hereby instructed and required to use the money herein appropriated for the purposes specified and for no other purpose or purposes, and it is hereby forbidden to in any way overdraw or exceed the appropriation herein made for any purpose whatever, except upon the written consent of the Senator and a majority of the House Delegation. For the items covered in Section 1 of this act, it shall be unlawful for the clerk of the County Board of Commissioners or the Purchasing Agent of Horry County to draw or sign any warrant or drafts on the County Treasurer overdrawing any appropriation or authorization. For the items covered in Section 1 of this act, it shall be unlawful for the Treasurer of Horry County to pay from funds in his hands

any amount not covered by the appropriation herein made or authorized by the written consent of the Senator and a majority of the House Delegation. Any appropriation herein made may be increased or decreased by the written consent of the Senator and a majority of the House Delegation. *Provided*, further, that the County Board of Commissioners of Horry County is hereby instructed to prorate the amount of money herein appropriated for County Roads and Chain Gang and all other divisions and departments of the county government, except regular salaries which are to be paid monthly, on a quarterly basis, to the end that no department shall expend more than one-fourth of the appropriated funds during any quarterly period of the fiscal year beginning July 1, 1959 and ending June 30, 1960. *Provided*, that the amounts appropriated in Item 13 of this act shall be expended only after the written approval and authorization of a majority of the Horry County Board of Commissioners. The county board of commissioners shall use as much as may be necessary of the amounts appropriated therein for setting up a road program in Horry County, which program shall be carried out by the county road commissioners under the direction and control of the county board of commissioners.

SECTION 3. The jailor and/or matron shall receive no fees for dieting prisoners. The Horry County Police Commission shall have the duty to inspect the Horry County Jail at least once a month to see that it is kept clean at all times and that a jailor or county police officer is on duty at all times. The purchasing agent is authorized to make purchases of all food, supplies, equipment and any and all things necessary for the proper maintenance of the county jail and the food and clothing of the prisoners therein. The jailor is to act as jailor only, and he shall make no arrests outside of the jail, nor shall he be allowed any compensation for the conveyance of prisoners. No person shall receive compensation for conveyance of prisoners.

SECTION 4. The county board of commissioners shall employ a certified public accountant (CPA) for the purpose of auditing semi-annually the books and examining the offices of Horry County, including the Department of Education, and the county board of commissioners may make payment for such services not to exceed two thousand five hundred dollars, as provided in this act. Each member of the Legislative Delegation from Horry County shall be furnished by the accountant making the audit, a copy of the audit.

SECTION 4-A. The County Board of Commissioners of Horry County shall employ some suitable person at the pleasure of the board of commissioners, who shall be designated custodian of the Horry County Courthouse and grounds. The custodian shall be charged with the responsibility for all janitor service at the Horry County Courthouse, the Horry County Department of Education Building, the county office building on 4th Avenue, and the Horry County Memorial Library. The custodian of the courthouse and grounds is further charged with the responsibility of maintaining the grounds and protecting the shrubbery and such other duties as may be imposed upon him by the county board of commissioners. The custodian shall be given such assistants as the county board of commissioners may deem necessary.

SECTION 5. The Senator and a majority of the House Delegation may employ a county attorney and pay same an amount not to exceed that provided for this purpose in this act. It shall be the duty of the attorney selected by the Horry Legislative Delegation to advise all boards, magistrates, and officers of the county, and in addition thereto, it shall be his duty to represent the county in all cases wherein the county's interest is affected, and he shall represent the sheriff's office and the county police in criminal proceedings when called upon.

SECTION 6. Before taking office each magistrate shall give bond in a sum to be fixed by the county board of commissioners, conditioned upon the faithful performance of his duties. The premiums on the bonds shall be paid by the county. The magistrate and coroner shall be required to put all material state witnesses under bond as now provided by law, and at least ten days before the meeting of the Court of General Sessions shall lodge all papers pertaining to said court with the clerk of court, except cases which happen within the said ten day period, and cases where defendants have demanded preliminary hearings in writing and for good cause the magistrate has been unable to give a preliminary hearing. It shall be the duty of the sheriff and the chief of the county police to confer with the magistrates from time to time, familiarizing themselves with pending cases, attend inquests and see that witnesses are subpoenaed, placed under bond and the papers lodged in the clerk's hands as herein provided. The sheriff and the county police shall cooperate with and assist the magistrates in preserving the peace and good order of the community.

SECTION 7. All books, supplies and material purchased under the provisions of this act shall be purchased by the Horry County Purchasing Agent as provided by special act.

SECTION 8. Out of the funds provided for "County Roads and County Road Machinery" in this act, the County Board of Commissioners of Horry County is hereby authorized to purchase any necessary new machinery for road purposes through the Horry County Purchasing Agent. *Provided*, that the county enter into a contract with the State Highway Department for constructing road beds for hard surfacing.

SECTION 9. The Auditor of Horry County is hereby required to put the address of the taxpayer on each treasurer's duplicate. The Treasurer of Horry County is hereby authorized and directed to mail to taxpayers notice of taxes due in his office. Both the auditor and treasurer shall pay for the work required in this section from funds provided for clerical help in their respective offices as provided for by this act. The failure of the treasurer to mail any tax notice shall in no wise relieve the taxpayer of obligation to pay such tax.

SECTION 10. Twenty per cent of the liquor, wine and beer tax allotted to Horry County shall, as received by the treasurer be paid to the Horry County Memorial Library Commission, and the commission shall use the funds for the operation of the Horry County Memorial Library and for the purchase of equipment, books, and other necessities for the Horry County Memorial Library, and for the equipping and purchasing of equipment for the school libraries of Horry County, the said funds to be spent and allotted to the libraries as the Library Commission, or a majority thereof, shall determine.

SECTION 11. A majority of the Delegation, including the Senator, shall employ the Horry County Tax Collector and up to four Deputy Tax Collectors. The Tax Collector shall receive as compensation in lieu of salary the sum of one dollar for each execution collected and two per cent commission of all taxes collected. The Deputy Tax Collector shall receive one dollar on each execution collected.

Provided, the Horry County Board of Commissioners shall prescribe the necessary procedure for the keeping of records and making of reports for the office of the Tax Collector, not otherwise covered by existing law, subject to the approval of a majority of the Legislative Delegation, including the Senator.

SECTION 12. The clerk of the county board of commissioners and the Horry County Purchasing Agent shall furnish to the Senator and each member of the delegation, monthly, a statement in detail showing each expenditure made during the month, for what purpose expended and amount of the expenditure and the balance remaining in the account from which the expenditure was made. The clerk of the county board of commissioners and the Horry County Purchasing Agent shall each make a written report to each member of the county board of commissioners of his activities during the month and proposals that he intends to make to the county board of commissioners five days prior to the regular meeting of the county board of commissioners.

SECTION 13. The county board of commissioners shall furnish to the Senator and each member of the House Delegation, a statement before the fifteenth day of December of each year, showing their activities during each quarterly period, along with a report of the financial status of the account and any recommendations that they see fit to make to the delegation. The county board of commissioners shall furnish to the Senator and each member of the Legislative Delegation a statement in detail showing a proposed county supply bill for the following year and also any legislation that, in their opinion, they think should be enacted.

SECTION 13-A. No magistrate shall receive any part of fees, compensation or mileage in connection with tax execution warrants except the one dollar allowed him by law. No county officials shall receive any fees or compensation unless provided by law.

SECTION 14. The house now owned by Horry County, on Second Avenue in the Town of Conway, shall be used by the jailor of Horry County as his residence. No part of the county jail shall be used for residential purposes.

SECTION 15. Any special authorization for county purposes to be hereafter made from the contingent account in Item 9 of Subsection (B) of this act by the Senator and members of the House of Representatives in excess of one hundred dollars shall first have the approval of the Board of County Commissioners of Horry County or a majority thereof.

SECTION 16. All regular county employees, receiving regular salaries, shall be allowed two weeks vacation with pay, and the adminis-

trative heads of all départements are hereby instructed and required to arrange their work so that each employee of the county shall be allowed the two weeks vacation with pay with the least possible inconvenience to the work of the office or department affected. In addition the following legal holidays and no others shall be observed by the employees of Horry County: New Year's Day, Independence Day-July fourth, Labor Day-the first Monday in September, Armistice Day-November eleventh, Thanksgiving and Christmas. Whenever any of these fall on Sunday, the Monday following is prescribed. No person shall receive any days off other than those herein provided, and in the event of any loss of time from work, the employee shall forfeit his right to compensation for the day or days he is absent from work.

SECTION 17. The Clerk of Court shall, after each term of court, make a detailed report to the County Board of Commissioners and the Legislative Delegation on the amount of jury and witness fees spent for said term of court.

SECTION 17-A. Commencing with the fiscal year 1959-1960, two mills of the present seven-mill tax levy for the payment of school bonds shall be used for supplementing teachers' salaries and one mill of such tax shall be deposited to the general fund of the county.

SECTION 18. The county board of commissioners is hereby instructed to require out of the jurors and witness fees and itemized statement of all disbursements, such statement to be made after each term of court.

SECTION 19. The Clerk of Court's bond shall be twenty-five thousand dollars.

SECTION 20. Immediately after Magistrate and City Courts all prisoners sentenced to County Chain Gang shall be transferred to the County Jail by the county police or Sheriff's Deputy serving the court and a Deputy Sheriff or the county police shall be instructed by the proper authority to transfer city prisoners to county jail on the same day of trial.

SECTION 21. All travel shall be paid on a monthly basis of not more than one-twelfth of the total amount appropriated for travel.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed. If any section or provision of this act shall be held uncon-

stitutional, such unconstitutionality shall not affect, impair, or invalidate any of the remaining sections or provisions.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R1, S10)

No. 448

An Act Transferring The Sum Of Ten Thousand Dollars From The General Fund Of Jasper County To The Contingent Fund.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Jasper County—transfer of funds.—The sum of ten thousand dollars is hereby transferred from the General Fund of Jasper County to the Contingent Fund.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of January, 1959.

(R2, S11)

No. 449

An Act To Direct The Treasurer Of Jasper County To Pay A Certain Note.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Treasurer of Jasper County to pay certain note.—The Treasurer of Jasper County shall pay the note and all interest due thereon, which evidences the obligation of Jasper County for money borrowed pursuant to Act 594 of 1957.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of January, 1959.

(R36, H1062)

No. 450

An Act To Amend Act No. 1118 Of The Acts Of 1958, Relating To Appropriations For Jasper County, So As To Provide For The Recommendation Of A County Attorney.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 17, Section 1, of Act 1118 of 1958 amended—county attorney to be recommended by board of commissioners.—The first proviso in Item 17 of Section 1 of Act No. 1118 of the Acts of 1958 is amended to read as follows:

“Provided, he is recommended by the county board of commissioners.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R170, H1358)

No. 451

An Act Authorizing And Directing The Treasurer Of Jasper County To Transfer Seven Thousand Dollars From The General Fund To The Hardeeville Auxiliary Public Health Center Account.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Jasper County to transfer funds.—The Treasurer of Jasper County is authorized and directed to transfer the sum of seven thousand dollars from the general fund to the Hardeeville Auxiliary Public Health Center Account.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R526, H1689)

No. 452

An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Jasper County For The Fiscal Year Beginning July 1, 1959, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax of eleven mills for county purposes is hereby levied upon all the taxable property in the County of Jasper for the fiscal year beginning July 1, 1959, and each year thereafter until this act is repealed, for the amounts and for the purposes herein stated, respectively, that is to say:

Item 1. Roads and Bridges	\$ 28,000.00
Total	\$ 28,000.00
Item 2. Clerk of Court:	
Salary, Clerk of Court	\$ 4,320.00
Salary, Deputy Clerk	1,800.00
Total	\$ 6,120.00
Item 3. Sheriff's Office:	
Salary for Sheriff	\$ 4,320.00
2 Deputy Sheriffs @ \$3,300.00 each	6,600.00
Salary of Clerk	1,800.00
For use of auto, maintenance and travel expense for sheriff	1,500.00
For use of autos, maintenance and travel ex- penses for two deputy sheriffs (\$1,500.00) each	3,000.00
	\$ 17,220.00

Item 4. Treasurer's Office:

Treasurer's salary, an amount sufficient to supplement the amount provided by the State so as to make his total salary \$4,320.00	\$ 1,120.00
Salary for clerk	2,400.00
Total	\$ 3,520.00

Item 5. Auditor's Office:

Auditor's salary, an amount sufficient to supplement the amount provided by the State so as to make his total salary \$4,320.00	\$ 1,120.00
Salary for clerk	900.00
Total	\$ 2,020.00

Item 6. Board of Education:

Superintendent of Education, salary, an amount sufficient to supplement amount provided by the State so as to make his total salary \$4,320.00	\$ 195.00
Salary of clerk	2,400.00
Members of Board of Education, 4 @ \$250.00 each	1,000.00
Travel expense, Superintendent of Education ..	420.00
Total	\$ 4,015.00

Item 7. Judge of Probate's Office:

Salary, Probate Judge	\$ 4,320.00
Salary of Clerk	900.00
Total	\$ 5,220.00

Item 8. Coroner's Office:

Salary for Coroner	\$ 504.00
Total	\$ 504.00

Item 9. County Board of Commissioners:

Salary, Supervisor of Roads	\$ 4,320.00
Travel for Supervisor	1,500.00
Salary of Commissioners, 4 @ \$600.00	2,400.00
Clerk; Salary	900.00
Total	\$ 9,120.00

Provided, that Gillisonville Square and Court-house Grounds shall be maintained and kept up by the Supervisor.

Item 10. Magistrates and Constables:

Magistrate at Ridgeland	\$ 2,580.00
Constable at Ridgeland	1,200.00
Magistrate at Hardeeville	2,160.00
Constable at Hardeeville	828.00
Magistrate at Grays	870.00
Constable at Grays	828.00
Magistrate at Tillman	870.00
Constable at Tillman	828.00

Total\$ 10,164.00

Item 11. County Jail:

Salary of Jailor	\$ 1,800.00
<i>Provided</i> , sheriff may use jailor as deputy when deemed advisable.	
Dieting of Prisoners (\$1.00 per day)	1,800.00
Jail Expense	600.00

Total\$ 4,200.00

Item 12. Court Expense:

Court Expenses	\$ 2,000.00
<i>Provided</i> , that bailiff and jurors shall be paid five dollars per day.	

Total\$ 2,000.00

Item 13. Health Work:

Health Unit, plus balance from previous year ..	\$ 4,594.00
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Total\$ 4,594.00

Item 14. Public Buildings\$ 12,000.00

Total\$ 12,000.00

Item 15. Farm and Home Demonstration Work:

Expense, County Agent	\$ 468.00
Expense, Home Demonstration Agent	468.00
Stenographer for County Home Demonstration and County Agent	540.00

Assistant County Agent, Salary	2,340.00
Boys' 4-H Club Work	125.00
Girls' 4-H Club Work and Farm Women's Work	125.00
Demonstration Supplies for Home Demonstra- tion Agent	50.00
Stamps and incidentals, office supplies for Coun- ty and Home Demonstration Agent	100.00
Corn Contest	100.00
Total	\$ 4,316.00
Item 16. Rent:	
Forestry Office	\$ 96.00
Magistrate at Grays	60.00
Farm Security Administration Office	420.00
Total	\$ 576.00
Item 17. Schools:	
County's portion of support to public schools...	\$216,580.41
Total	\$216,580.41
Item 18. Miscellaneous:	
County Attorney	\$ 700.00
<i>Provided</i> , he shall handle all small county cases and advise all county officials except the sheriff on criminal matters.	
Janitor, Courthouse and Grounds	1,680.00
Janitor, Agricultural Building, Welfare Office and Health Center	600.00
<i>Provided</i> , that this shall be taken care of by the Supervisor.	
Supplement for Road Workers	480.00
Four Forestry Wardens @ \$420.00	1,680.00
Travel Outside County	600.00
The following county officials when traveling outside of Jasper County on official business shall be paid seven cents per mile and ex- penses: Senator, Representative, Sheriff, Deputy Sheriffs, Supervisor, Superintendent of Educa- tion, Probate Judge, Auditor, Treasurer, Clerk	

of Court and Service Officer. Also, these officials may draw seven dollars per day for expenses when they are out of the county on official business overnight. *Provided*, that all claims are approved by the County Commissioners.

Board of Assessors 1,200.00

Secretary, Board of Registration 540.00

Public Welfare Fund 4,320.00

Plus any balance from previous year. This shall be used by the Public Welfare Board.

Attendance Teacher Charity Fund 200.00

Post Mortems, Inquests and Lunacy 600.00

Provided, Coroner's and Magistrates' jurors shall be paid one dollar per day.

Vital Statistics 400.00

There is hereby appropriated the necessary fund to supplement the cost of operation of the Ridgeland Hospital; *provided*, however, that not more than \$18,000.00 be used for this purpose and then only when the manager of the hospital shall furnish sworn monthly statements of the income and expenses of the hospital showing the deficiency needed for said month; and *provided*, further, that the books and records of the hospital be audited along with the county books

18,000.00

Physician 300.00

Bond Premiums 800.00

Printing, Postage, Stationery and Advertising 4,000.00

State Retirement System 2,600.00

Social Security 1,700.00

Library Fund 2,550.00

National Guard Fund 1,000.00

Provided, such fund shall be used for the payment of fuel, lights and telephone.

Jasper County Farm Bureau Marketing Commission 200.00

Jasper County Development Board 1,500.00

Burial Expense, Paupers 200.00

Provided, that this expense be approved by the Public Welfare Board.

3 Game Wardens @ \$300.00 each for supplemental Travel	900.00
Forestry Ranger	300.00
Fire Tower Wardens	720.00
<i>Provided</i> , the Tower Warden at Grays receives \$25.00 per month supplement; <i>provided</i> , further, the Tower Warden at Okeetee receives \$35.00 per month supplement.	
School Lunch Program	2,000.00
<i>Provided</i> , this shall only be paid upon vouchers approved by the school lunch supervisor.	
Hospitalization	6,000.00
<i>Provided</i> , this shall be paid when approved by the Public Welfare Board and <i>provided</i> , further, that a list of patients and the amount be made available to the Board of Commissioners at its request.	
Miscellaneous Contingent Fund	10,000.00
<i>Provided</i> , that this fund shall be used upon written approval of the legislative delegation as they deem necessary to supplement any account except salaries.	
Audit of County Books	2,000.00
County Appraiser	4,320.00
Travel Expenses	1,500.00
<i>Provided</i> , that the county appraiser is named by the Legislative Delegation.	
<i>Provided</i> , that the County Board of Assessors shall appoint the appraiser with the consent of Jasper Legislative Delegation.	
Salary for Clerk	1,800.00
Total	\$ 75,390.00
GRAND TOTAL	\$405,559.41
Less Estimated Revenues other than Taxes:	
Fines and Licenses	\$ 45,000.00
Income Tax	19,000.00
Beer and Wine Tax	2,500.00
Liquor Tax	8,500.00

Gas Tax (1 cent)	42,000.00
Miscellaneous	13,000.00
Total	\$130,000.00

Amount to be raised by Taxation\$275,559.41

SECTION 2. The townships' assessors and members of the county board of equalization shall receive ten dollars per day for the time actually employed and five cents per mile for necessary travel.

SECTION 3. The supervisor is hereby authorized and required to pay on the first Monday in May to the widows of Confederate Veterans living at that time and residents of Jasper County sixty dollars each.

SECTION 4. The supervisor is hereby prohibited from issuing a check to any magistrate until the magistrate has filed with him a statement of the names of all parties for whom warrants have been issued during the previous month and the disposition of each case and a receipt from the treasurer.

SECTION 5. The grand jury shall let bids for the auditing of the county books and of Ridgeland Hospital books and shall award the bid to the lowest competent accountant. The treasurer is hereby empowered to pay for same from the county general funds. *Provided*, that a copy of this audit shall be furnished to each member of the legislative delegation immediately upon completion of the report. The county attorney is to approve the legality of the contract.

SECTION 6. It is hereby made unlawful for the supervisor, the county board or any other officer of the county to exceed the appropriation set forth. If any one overspends an appropriation or spends the appropriation for any purpose not specifically provided herein, it shall be deemed an act of official misconduct and the officials so offending shall be forthwith removed from office.

SECTION 7. The clerk of court is hereby authorized and required to pay jurors' mileage for each day's attendance upon court.

SECTION 8. No claims shall be paid by the supervisor or the county board unless same are itemized and probated.

SECTION 9. The farm demonstration agent and the home demonstration agent shall be appointed by proper authorities by and with the consent of the Jasper County Legislative Delegation.

SECTION 10. In order to meet the appropriations provided for in this act, the treasurer, supervisor and the county commissioners of Jasper County are authorized and empowered to borrow, as and when needed, such sums as may be necessary, not exceeding a total of thirty-five thousand dollars, and at a rate of interest not exceeding five per cent per annum, to meet the appropriations and expenditures herein made. The said officers shall execute form of notes for Jasper County as evidence of such indebtedness and may pledge the taxes herein levied.

SECTION 11. The Supervisor of Jasper County, before purchasing or placing an order for equipment, material, supplies, goods, wares or merchandise, or for anything whatsoever needed and used for county purposes in amount in excess of fifty dollars, shall advertise, giving reasonable notice, for bids in some newspapers published in Jasper County asking for bids for such equipment, materials, supplies, goods, wares, or merchandise as may be needed, and shall award the contract to the lowest responsible bidder or the supervisor may reject any or all bids.

SECTION 12. The County Treasurer of Jasper County, upon the written direction of a majority of the Jasper County Delegation in the General Assembly is hereby authorized and empowered to lend from any available funds of Jasper County, to the school district or county board of education from the county general fund, or the county surplus fund, such sum or sums of money as may be directed in writing, to any school district or county board of education in Jasper County in need of funds.

SECTION 13. The County Supervisor is hereby authorized to grant up to ten days annual leave with pay to county employees and up to ten days annual sick leave with pay provided the employee is under a doctor's care.

SECTION 14. Any funds accruing to the general fund of the county in excess of the amounts appropriated by this act may be transferred to a fund and be utilized for renovation of the courthouse upon approval of the legislative delegation.

SECTION 15. Should the General Assembly in any subsequent year fail to enact a supply act for Jasper County the appropriations and tax levy herein set forth shall be the supply act for such subsequent year for Jasper County.

SECTION 16. Should a deficit result from the appropriations made in the 1958-1959 county supply act there is hereby appropriated a sufficient amount to cover this deficit.

SECTION 17. All acts or parts of acts inconsistent herewith are repealed.

SECTION 18. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R77, H1170)

No. 453

A Joint Resolution To Extend The Open Season For The Hunting Of Quail In Kershaw And Sumter Counties For The Year 1959 Only.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Quail season for Kershaw and Sumter Counties.—For the calendar year 1959 only, the open season for the hunting of quail shall be extended to March first in Kershaw and Sumter Counties.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R548, H1669)

No. 454

An Act To Make Appropriations For The Operating Expenses Of Kershaw County For The Fiscal Year 1959-1960, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax sufficient to meet the appropriations in this act to be raised by a levy upon all the taxable property of Kershaw County is hereby levied on such property for ordinary purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, and shall be expended as herein provided, the amount of such levy to be determined by the auditor and treasurer of the county upon the approval of a majority of the legislative delegation. The funds accruing to the county from the State on account of any other taxes paid over by the State, or any department of the State government for general county purposes, are likewise appropriated along with the funds received from such levy.

SECTION 2. The county auditor and treasurer are also directed to levy a tax sufficient to raise an amount sufficient to retire the principal and interest due on the county hospital bonds.

SECTION 3.

Item 1. Administrative Department:

A. Auditor's Office

- | | |
|--|-------------|
| (1) Salary of Auditor (county's portion) | \$ 1,720.00 |
| (2) Deputy Auditor | 3,660.00 |
| <i>Provided, that the Deputy Auditor shall be appointed by the Auditor with the approval of a majority of the County Legislative Delegation.</i> | |
| (3) Board of Assessors | 1,500.00 |
| <i>Provided, that each member shall receive ten dollars per day while working, plus seven cents per mile travel while engaged in work.</i> | |

Total	\$ 6,880.00
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B. Treasurer's Office

- | | |
|---|-------------|
| (1) Salary of Treasurer (county's portion) | \$ 2,740.00 |
| (2) Clerk to Treasurer | 2,640.00 |

Total	\$ 5,380.00
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C. Tax Collector's Office

- | | |
|---------------------------------|-------------|
| (1) Salary, Tax Collector | \$ 3,840.00 |
| (2) Travel, Tax Collector | 1,200.00 |

(3) Clerk to Tax Collector	2,640.00
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Total	\$ 7,680.00
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Total, Item 1	\$ 19,940.00
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Item 2. Judicial Department:

A. Clerk of Court

(1) Salary (Clerk to Circuit Court and Register of Mesne Conveyance)	\$ 5,740.00
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(2) Deputy Clerk of Court	2,880.00
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(3) Salary (two additional clerks, \$2,640.00 each)	5,280.00
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Total	\$ 13,900.00
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B. Master

(1) Salary of Master	\$ 1,800.00
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Salary of Master as Judge of Juvenile-Domestic Relations and Special Court	3,240.00
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(2) Secretary to Master and Judge, Salary	2,400.00
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(3) Office Rent	600.00
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Total	\$ 8,040.00
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C. Court of General Sessions and Common Pleas

(1) Jurors, witnesses, bailiff and court crier	\$ 9,000.00
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Provided, bailiff, jurors, clerk for probation officer and court crier shall be paid eight dollars per day for each day actually engaged in their duties.

(2) Supplement to Fifth Circuit Court Reporter ..	700.00
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(3) Salary, Assistant Solicitor, Fifth Circuit	900.00
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(4) Probation Officer, Salary Supplement	700.00
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Provided, that the Probation Officer shall be available to assist the Judge of the Juvenile-Domestic Relations and Special Court as may be required by the Judge thereof.

Total	\$ 11,300.00
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D. Probate Judge

(1) Salary, Probate Judge	\$ 5,740.00
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(2) Salary, Clerk to Probate Judge	2,640.00
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Total	\$ 8,380.00
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E. Magistrates

(1) Salaries

Magistrate for DeKalb Township	\$ 3,840.00
Magistrate for Town of Kershaw	1,760.00
Magistrate for Flat Rock Township	800.00
Magistrate for Buffalo Township	1,020.00
Magistrate for West Wateree Township	1,620.00

Provided, that the Magistrate for DeKalb Township shall keep same office hours as other courthouse officials.

Provided, the Magistrate for Flat Rock shall keep office hours at Liberty Hill, S. C., at least one day a week and shall certify that this condition has been fulfilled prior to receiving his monthly salary.

Provided, that all Magistrates may draw up to ten dollars a month each for office rent when office is not provided in a county building.

Total	\$ 9,040.00
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F. County Attorney

(1) Salary

Provided, however, the County Attorney's salary shall be in lieu of all fees, except those approved by a majority of the Legislative Delegation.

Provided, further, the County Attorney shall be elected by a majority of the Legislative Delegation for a period of one Year.

Total	\$ 600.00
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G. Office of Coroner

(1) Salary

(2) Inquest stenographer, if so much be needed..

Provided, the stenographer shall be paid at the rate of \$5.00 per inquest.

Total	\$ 1,240.00
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Total, Item 2	\$ 52,500.00
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Item 3. Law Enforcement

A. Sheriff's Office

- | | |
|--|-------------|
| (1) Salary of Sheriff | \$ 5,240.00 |
| (2) Salary of Sheriff as Chairman of Law Enforcement Board | 500.00 |
| (3) Salary of Deputy No. 1 | 4,020.00 |

Total	\$ 9,760.00
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B. Rural Police

- | | |
|--|-----------|
| (1) Per diem and travel for members of the County Law Enforcement Board, to be paid at the rate as now provided for State boards and commissions | \$ 750.00 |
| (2) Salary, Chief of Rural Police | 4,020.00 |
| (3) Salaries, Six Rural Police | 19,800.00 |
| (4) Uniforms, Rural Police | 500.00 |

Provided, however, that the salaries and expenses of the above Rural Police shall be paid monthly and such payments shall be approved by a majority of the Law Enforcement Board.

Provided, all rural policemen and radio dispatchers who have served satisfactorily for a period of one year or more shall receive an additional compensation of one hundred dollars per year.

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|---|-----------|
| (5) Rural Police automotive expense, including maintenance, upkeep and purchase of new vehicles | 12,000.00 |
|---|-----------|

Provided, that the Law Enforcement Board is authorized to trade not more than three police automobiles.

- | | |
|---|----------|
| (6) Salaries to Radio Dispatchers | 6,600.00 |
|---|----------|

Provided, that the Law Enforcement Board may commission any persons employed as radio dispatchers as rural police officers if it so desires.

Total	\$ 43,670.00
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C. Jail Expense

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|---|-------------|
| (1) Operation of Jail, if so much be needed | \$ 3,000.00 |
| (2) Jailor | 1,320.00 |

Total	\$ 4,320.00
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Total, Item 3	\$ 57,750.00
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Item 4. Public Works:

A. Board of Directors

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|---|-------------|
| (1) Salary, Clerk to Board of Directors and Administrator | \$ 5,040.00 |
| (2) Assistant to Clerk | 2,640.00 |
| (3) Salary, County Administrator (portion to be paid out of the general fund) | 2,740.00 |

Total	\$ 10,420.00
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B. Janitors

- | | |
|--|-------------|
| (1) Salary of Janitors at Courthouse and Agricultural Building | \$ 3,120.00 |
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Total	\$ 3,120.00
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C. Miscellaneous

- | | |
|--|-------------|
| (1) Telephone (all offices) | \$ 2,500.00 |
| (2) Printing, postage, stationery and supplies, if so much be needed | 6,000.00 |
| (3) Public Building Maintenance, lights and water | 9,000.00 |

Total	\$ 17,500.00
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D. Insurance

- | | |
|---|-----------|
| (1) On prisoners | \$ 500.00 |
| (2) Bond premiums | 900.00 |
| (3) Premiums on Workmen's Compensation | 2,000.00 |
| (4) Insurance, County Motor Vehicles | 2,000.00 |

Provided, that the above monies shall be spent only on approval of the County Governing Board.

(5) Retirement and Social Security payments for County employees	12,000.00
Total	\$ 17,400.00
Total, Item 4	\$ 48,440.00
Item 5. Health Department:	
A. Salaries:	
(1) Three nurses at \$3,318.00 each	\$ 9,954.00
(2) Clerk	1,774.00
Total	\$ 11,728.00
B. Travel:	
(1) Health Officer	\$ 840.00
(2) Two Sanitarians at \$840.00 each	1,680.00
(3) Four nurses at \$840.00 each	3,360.00
Total	\$ 5,880.00
C. Other Expenses:	
(1) Contingent	\$ 600.00
Total	\$ 600.00
D. Veterinarian:	
(1) Salary (part time)	\$ 780.00
Total	\$ 780.00
E. Expenses and Supplies:	
(1) To be spent if needed on approval of Kershaw County Board of Health	\$ 600.00
(2) For supplies and maintenance of Kershaw Health Center, if so much be needed, to be spent on approval of the Kershaw County Board of Health	300.00
Total	\$ 900.00
F. Miscellaneous Health Appropriations:	
(1) T. B. Association	\$ 1,000.00
<i>Provided, the above amount shall be spent by the Kershaw County Board of Health for the treatment or case finding of tubercular patients in Kershaw County.</i>	

(2) Vital Statistics	340.00
(3) Post Mortems and Lunacy	350.00
<i>Provided</i> , that the above payments shall be made only on approval of the Board of Health of Kershaw County.	
Total	\$ 1,690.00
Total, Item 5	\$ 21,578.00
Item 6. Military:	
A. Service Officer (Salary)	\$ 4,500.00
(1) Office Rent	360.00
(2) Office Expense, Telephone and out of town travel	960.00
Total	\$ 5,820.00
B. Kershaw Guards:	
(1) Battery "B"	\$ 200.00
(2) Company "E"	200.00
<i>Provided</i> , that above sums shall be expended for upkeep, maintenance and repairs on the Kershaw County Armory; and <i>provided</i> , further, that the said Armory shall be made available to the Camden Hospital Auxiliary and Junior Welfare League for functions at a rental not to exceed \$25.00 per night.	
Total	\$ 400.00
Total, Item 6	\$ 6,220.00
Item 7. Farm Aid:	
A. Salary Subsistence:	
(1) Farm Agent	\$ 720.00
(2) Assistant Agent	520.00
(3) Home Agent	720.00
(4) Assistant Home Agent	520.00
(5) Two Clerks	720.00
Total	\$ 3,200.00

B. Assistant for Colored Farmers:

(1) Farm Agent (Salary)	\$ 720.00
(2) Home Agent (Salary)	1,170.00
(3) Clerk	1,320.00
(4) Home Agent (Travel)	600.00
(5) Farm Agent (Rent)	210.00

Total

\$ 4,020.00

C. Miscellaneous Farm Aid:

(1) 4-H Club Work (White)	\$ 100.00
(2) 4-H Club Work (Colored)	100.00
(3) Kershaw County Chapter of Future Homemakers of America	100.00
(4) Council of Farm Women	250.00
(5) Demonstration Material for Home Agent (White)	50.00

Total

\$ 600.00

D. Cotton Rent Platform

\$ 675.00

Total

\$ 675.00

E. Supplement to salary of four County Fire Wardens

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\$ 1,680.00

Total

\$ 1,680.00

Total, Item 7

\$ 10,175.00

Item 8. Welfare:

A. County Welfare Board, to be paid at the rate of ten dollars per meeting attended

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\$ 360.00

Travel for worker

300.00

Total

\$ 660.00

B. Camden and Kershaw County Children's Home\$ 4,000.00

Provided, above shall be spent at a rate of \$1.50 per day for child care of indigent children of Kershaw County, and the above sums shall be paid semiannually upon certification by the president and secretary of the Kershaw County Children's Home that care and maintenance

were actually rendered for the number of days
for which claim is made.

Total	\$ 4,000.00
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C. County Poor	\$ 4,000.00
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Provided, that this amount shall be spent by
the Welfare Department subject to the advice
of the County Board of Directors.

Total	\$ 4,000.00
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Total, Item 8	\$ 8,660.00
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Item 9. Libraries:

A. County Library

(1) Head Librarian, Salary	\$ 2,520.00
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(2) Bookmobile Librarian, Salary	2,220.00
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(3) Clerk of Bookmobile, Salary	1,920.00
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(4) Operation of Bookmobile, gas, oil, tires, repairs, etc.	400.00
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(5) Books, Periodicals, Mending and Binding ...	3,000.00
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(6) Office Supplies	250.00
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(7) Equipment	50.00
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(8) Contingent Fund	100.00
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(9) Insurance on Books (\$30,000.00)	195.00
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Total	\$ 10,655.00
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B. DeKalb Negro Branch

(1) Salary for Librarian	\$ 1,800.00
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(2) Books and Supplies	1,500.00
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Total	\$ 3,300.00
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C. Bethune Library	\$ 600.00
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D. Kershaw Memorial Library	300.00
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Total	\$ 900.00
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Total, Item 9	\$ 14,855.00
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Item 10. Miscellaneous:

A. Contingent Fund	\$ 5,000.00
To be spent only if approved by a majority of the County Legislative Delegation.	
Total	\$ 5,000.00
B. For merit raises to county clerical employees as provided in Section 7, if so much be needed	2,000.00
Total	\$ 2,000.00
C. Audit	\$ 1,500.00
Total	\$ 1,500.00
D. Secretary to Delegation	\$ 600.00
Total	\$ 600.00
E. Chamber of Commerce	\$ 2,000.00
Total	\$ 2,000.00
F. Shamrock Community Club	\$ 350.00
Total	\$ 350.00
G. Timrod Community	\$ 350.00
Total	\$ 350.00
H. County Rescue Squad	\$ 500.00
Total	\$ 500.00
I. Camden Civil Air Patrol	\$ 500.00
Total	\$ 500.00
J. Kershaw Youth Center for purchase of equip- ment, to be expended on approval of the Youth Center Committee of the Kershaw P. T. A.	\$ 250.00
Total	\$ 250.00
K. Hermitage Community Club	\$ 100.00
Total	\$ 100.00

L. Y. M. C. A.	\$ 500.00
Total	\$ 500.00
Total, Item 10	\$ 13,650.00
Item 11. Park and Recreation Commission:	
(1) Salary, Superintendent	\$ 4,020.00
(2) Salaries, Life Guards	1,440.00
(3) Labor, Grounds, etc.	1,000.00
(4) Gas and Oil	400.00
(5) Lights	180.00
(6) Telephone	230.00
(7) Incidentals (Insurance, etc.)	350.00
Total, Item 11	\$ 7,620.00
GRAND TOTAL	\$261,388.00
Estimated Revenues and Available Credits:	
Magistrates' Fines	\$ 50,000.00
County Officers' Fees	18,000.00
Beer and Wine Tax	6,500.00
Liquor Tax	22,700.00
Insurance Fees	18,000.00
Tax Collector	6,000.00
Bank Tax	2,800.00
Income Tax	38,000.00
County Service Officer	4,500.00
Total Estimated Revenues and Available Credits	\$166,500.00
Total amount to be raised by Taxation	\$ 94,888.00

SECTION 4. The sheriff and any other police officer shall receive in addition to their regular salaries, actual expenses excluding mileage, when called beyond the limits of the county on official business such as searching for fugitives, conveying prisoners to the State Reformatory, to the State Penitentiary, etc. The sheriff shall also receive fifty cents per meal for dieting each prisoner for each meal consumed while the prisoner is detained in the county jail or otherwise in his custody. *Provided*, however, that the above expenses shall

be paid only when a notarized statement is filed with their requisitions for such expenses and meals with the County Administrator.

SECTION 5. The Magistrates of Kershaw County are hereby required to enter all cases brought before them on their docket and to show on said dockets what disposition is made of each case, and shall enter on said dockets all costs which may be assessed against the parties of said case, and shall collect the same and shall pay over to the county treasurer monthly all fines and costs in criminal cases which may have been collected by them and shall submit their dockets to the board of county directors monthly for audit. *Provided*, however, that no magistrate in Kershaw County shall be paid his monthly salary until the above section has been complied with on or before the tenth day of each month.

SECTION 6. The appropriations herein made for salaries of the various county officers and other county employees shall be paid to such officers and employees in semimonthly installments upon individual claims to be submitted to the county board of directors. The clerk of the said board is hereby authorized to issue checks in payment of all claims for which a specific appropriation is made. *Provided*, however, that all salaries appropriated are in lieu of all fees.

SECTION 7. Clerical employees, other than elected officials who have had at least ten years of satisfactory service in the employ of the county, shall receive a supplement to their salary in the sum of twenty dollars per month. *Provided*, that any such employees with more than five years of satisfactory service shall receive a supplement of ten dollars per month. *Provided*, further, that any such employees with more than one year of satisfactory service shall receive a supplement of five dollars per month. *Provided*, further, that the director and employees of the Kershaw County Welfare Department shall be included in this section.

SECTION 8. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes. The county board of education is hereby authorized and directed to furnish school bus transportation for all activities of the 4-H Boys and Girls, Vocational and Agricultural Boys, Home Economic Girls and Junior Homemakers of America in attending inter and intra county meetings pertaining to their respective endeavors.

SECTION 9. If circumstances arise, which, in the judgment of a majority of the Kershaw County Legislative Delegation, require the expenditure of a greater amount than herein provided for any purposes, or should, in the judgment of said majority of the delegation, the affairs of Kershaw County increase the expenditure of funds for purposes not mentioned in this act and above enumerated, said delegation or a majority thereof shall have and are hereby given the right, by resolution, to increase the amount appropriated in any item and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution or resolutions shall be filed with the County Administrator for Kershaw County as their authority for expending the funds thus appropriated; and the county administrator, the board of directors concurring, may borrow, if necessary, such amounts as may be required to make such increase or additional appropriations and may pledge the full faith and credit of Kershaw County for the payment of the amount so borrowed.

SECTION 10. The county administrator is hereby authorized, empowered and directed, with the approval of a majority of the Kershaw County Governing Board, to borrow monies for such public purposes as may be necessary, and to pledge the levies and the faith, credit and taxing power of Kershaw County for the payment of all monies which may be borrowed hereunder.

SECTION 11. It shall be unlawful for the Kershaw County Administrator to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars or more, without first obtaining the written approval of a majority of the Kershaw County Board of Directors.

SECTION 12. The Kershaw County Board of Education is authorized and directed to prepare a budget for the operation of the Kershaw County schools for the fiscal year beginning July 1, 1959, and ending June 30, 1960, which budget shall be effective when approved by a majority of the Kershaw County Delegation. The budget may include a supplement to the salary of the superintendent of education provided that his total salary shall not exceed the sum of six thousand dollars; *provided*, that the budget shall include an incentive pay schedule as recommended by the Kershaw County Education Association at a rate of fifty per cent of the recommended schedule; and *provided*, further, that the budget shall include a sum to pay expenses and per diem of the Kershaw County Board of Education

and a sum to supplement the administrative personnel of the superintendent of education's office, including the attendance teacher and the school lunchroom supervisor. *Provided*, further, that the children who reside in the attendance area of the Pine Grove School who are presently enrolled in the Camden City Schools shall be authorized to continue to attend the said schools during the period covered by this act.

SECTION 13. The county administrator is directed, and it is made a part of his duty, to cooperate with the State Highway Department to increase the mileage of farm-to-market roads, and to use in the construction of such farm-to-market roads in Kershaw County all county equipment necessary.

SECTION 14. A complete and accurate record of the cost of construction of all roads under contract and expenditures with the South Carolina Highway Department will be maintained by the county administrator. All funds received pursuant to these contracts shall be kept by the Treasurer in a separate fund and shall be used to defray the cost of such construction. At the end of the fiscal year, any unexpended funds, after making proper provision for a reserve for depreciation, shall be paid to the general fund. The county administrator is authorized to set the salaries of all personnel employed in the construction program subject to the approval of the county governing board. The county governing board is authorized to supplement the salary of the county administrator from this fund so that his total compensation from all sources shall not exceed the sum of five thousand two hundred and forty dollars.

SECTION 15. The Auditor and Treasurer of Kershaw County are hereby authorized and directed to levy upon all taxable property of the county, not otherwise excluded by law, five mills, the sums raised to be paid over to the Kershaw County Hospital Board, to be used for the treatment of charity patients only under such rules and regulations as the board may adopt.

SECTION 16. All materials, supplies or equipment shall be purchased for all departments of the county by the county administrator after having advertised for and received bids for the same. Such materials, supplies and equipment shall be requisitioned by each department in writing at least thirty days in advance of their requirements. No voucher for the payment of any purchase in excess of five

hundred dollars shall be honored by the county treasurer unless the county administrator and clerk of the governing board shall certify in writing that the purchase was made after having received public bids for such commodity unless the transaction is approved by the unanimous vote of the Kershaw County Governing Board.

SECTION 17. All monies received by Kershaw County from the one cent gasoline tax shall be expended by the county administrator with the approval of the governing board in payment of all necessary expenses for the building, maintenance and upkeep of county roads and buildings and all administrative expenses in connection therewith, including salaries for the elected members of the county governing board not to exceed the sum of one thousand and eighty dollars per year.

SECTION 18. Members of all boards and commissions of Kershaw County shall receive seven cents per mile for travel in attendance of all meetings.

SECTION 19. All prior actions or disbursements taken or made, as a result of any resolution or action by the Legislative Delegation from Kershaw County, are hereby validated, ratified, confirmed and declared to be legal and binding.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

An Act To Create Lancaster Water And Sewer District In Lancaster County; To Define Its Area; To Establish A Governing Commission Therefor; To Prescribe The Functions And Powers Of The District And Its Commission; To Prescribe The Terms And Conditions Under Which Monies May Be Borrowed By The District; To Make Provision For Their Payment; And To Authorize The District To Contract With The City Of Lancaster For The Management By The City Of Lancaster Of The Water

And Sewer Systems Of The District, By Which Contract The City Of Lancaster May Be Given Options To Purchase The Systems.

Whereas, the General Assembly after due investigation has found that the area in Lancaster County described below has become populated to an extent that makes it necessary and desirable for the health and welfare of the inhabitants thereof to be served by publicly operated water and sewer systems, and that in addition thereto the district hereby created should be empowered to make provision for the collection and disposition of garbage for the district; and

Whereas, as a consequence of its findings above recited, the General Assembly has determined to constitute the area as a special purpose district, to provide a governing body for the district, and to empower the governing body as hereinafter provided for. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster Water and Sewer District created—boundaries.—There is hereby created and established in Lancaster County a district to be known as “Lancaster Water and Sewer District,” which district shall be a public corporation of perpetual succession, and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory:

All that certain piece, parcel or lot of land lying, being and situate adjacent to and North, South and West of the City of Lancaster, in Lancaster County School District, and in Pleasant Hill, Gills Creek and Cane Creek Townships, County of Lancaster, in the State of South Carolina; Beginning just South of Elgin at the intersection of Highways #164 and #521, and running thence North with Highway #521 to intersection with the Lancaster City Limit Line; thence with the said City Limit Line West, North and then East to the intersection of the Northern City Limit Line with Highway #521; thence North with Highway #521 to Cane Creek; thence South with Cane Creek to Rum Creek; thence East with Rum Creek to Highway #187; thence South with Highway #187 to Highway #200; thence North and East with Highway #200 to Highway #164; thence East with Highway #164 to the beginning point. Also, along with and in addition to the area just described, a further area 400 feet beyond and parallel to the center line of

all Highways and Creeks defined as boundaries in the foregoing description. EXCEPTING, RESERVING AND EXCLUDING from the foregoing area, however, the properties of The Springs Cotton Mills as of January 1, 1959, exclusive of residences, situated between Fifteenth Street on the East, Southern Railway on the North, Bear Creek on the West, and the L & C Railway on the South.

The foregoing description is based upon a plat entitled Proposed Boundaries Lancaster County Sanitary District, Lancaster County, South Carolina, prepared by Robert & Company Associates, Atlanta, Georgia, January 24, 1959, which is incorporated herein and made a part hereof by reference.

As soon as practicable following the enactment of this act, copies of a plat or drawing showing the boundaries of the district as above defined shall be duly filed in the office of the Clerk of Court for Lancaster County, and in the offices of the auditor and treasurer of the county, and of the Secretary of State for South Carolina.

SECTION 2. Commission created — members — appointment — terms—vacancies.—The district shall be operated and managed by a commission to be known as “Lancaster Water and Sewer District Commission.” The commission shall consist of five resident electors of the district, who shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator. The original appointments shall be for a term of two years for two appointees, for four years for two appointees, and for six years for one appointee, and in all cases those persons holding office shall continue to hold office until their successors shall have been appointed and have qualified. The initial terms of office shall begin as of the effective date of this act, notwithstanding that this may effect a lessening of the duration of the terms of office of the initial members of the commission. Upon the termination of office of any commissioner, a successor shall be appointed by the Governor, upon the recommendation of a majority of the Lancaster County Legislative Delegation, including the Senator, for a term of six years. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment made in like manner as in case of a full term. Whenever the commission engages in joint use of any facilities with any municipality adjoin-

ing its boundaries, the legislative delegation, including the Senator, shall consult with the city council of such city concerning recommendation of appointees to the commission, in the interest of recommending appointees who will assure maximum possible cooperation between the city and the district, but the final authority and responsibility for recommending such appointees shall be vested solely in a majority of the Lancaster County Legislative Delegation, including the Senator.

SECTION 3. Powers of commission.—There is hereby committed to the district the functions of purchasing, acquiring, constructing, operating, maintaining, improving and extending a water distribution system, a sewer system and, at the election of the commission, a system for the collection and disposition of garbage. To that end, the commission shall be empowered as provided below:

1. Have perpetual succession.
2. Sue and be sued.
3. Adopt, use and alter a corporate seal.
4. Make bylaws for the management and regulation of its affairs, and to define a quorum for its meetings.
5. Deposit monies derived from revenue-producing facilities, and to withdraw the same for the purpose of operating and maintaining such facilities.
6. Prescribe regulations requiring persons who shall be residents of the district to make use of any water or sewer system which the district shall place in operation. Such regulations shall, however, become effective only after they have been adopted by resolution of the commission and notice of the adoption of such regulations shall be published at least once for three successive weeks in a newspaper published in Lancaster County, and having general circulation in the district. The notice shall specify in brief the scope of the regulations, and shall state the date on which the same shall become effective. Prior to the adoption of the aforesaid resolution, the commission shall give public notice of the meeting which is to be held to consider their adoption, and the notice shall appear in a newspaper published in Lancaster County, and having general circulation in the district, not less than seven days prior to the occasion fixed for the holding of such meeting. The provisions of this paragraph, prescribing conditions upon the effectiveness of regulations adopted to require compulsory use of water and sewer facilities, shall not

be deemed to impose conditions upon the making or adoption of any other type of regulation authorized by this act.

7. Acquire, purchase, hold, use, lease, mortgage, sell, transfer and dispose of any property, real, personal or mixed, or any interest therein.

8. Build, construct, purchase, acquire, operate and maintain water lines and water mains throughout the district, and all apparatus necessary for the proper functioning of the same, and from time to time to enlarge and extend the same.

9. Build, construct, purchase, acquire, operate and maintain a system for the collection, treatment and disposal of sewage, including the construction of sewer mains and sewer lines, and from time to time enlarge and extend the same.

10. Establish, operate and maintain a system for the collection and disposal of garbage, at the election of the commission.

11. Purchase, acquire and continue the use and operation of any and all of the water and sewer collection, distribution, treatment, and disposal systems that may presently exist in the area.

12. Purchase, or otherwise acquire, a supply of water for its water distribution system, and to that end to purchase, acquire, build, construct, maintain and operate water tanks, reservoirs, pumps and such other apparatus as may be necessary to obtain and distribute water, and to enter into contracts for the purchase of water at wholesale.

13. Distribute and sell water on such terms and rates as it shall from time to time approve. To that end, the commission shall be empowered to place into effect and to revise, whenever it so wishes or may be so required, a schedule of rates and charges for water furnished by its water distribution system.

14. Place into effect and to revise, whenever it so wishes or may be required, a schedule of rates and charges for the use made of its sewage disposal system, including any treatment facilities.

15. Make use of county and State highway rights of way in which to lay pipes and lines in such manner and under such conditions as the appropriate officials in charge of such rights of way shall approve.

16. Exercise the power of eminent domain for any corporate function. The power of eminent domain may be exercised through any procedure prescribed by Sections 25-101 through 25-140 and Sections 33-121 through 33-148, Code of Laws of South Carolina, 1952.

17. Appoint officers, agents, employees and servants, to prescribe the duties of such, to fix their compensation, and to determine if and to what extent they shall be bonded for the faithful performance of their duties.

18. Make contracts for construction, engineering and other services, with or without competitive bidding, including particularly the right to contract with the City of Lancaster or any other appropriate person or agency, for operation, and maintenance of the system or systems established and controlled by the commission, for any fixed period of time and upon such terms and conditions as the commission may deem proper.

19. The commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from all or any part of the revenues derived from the operation of any revenue producing facility. The sums borrowed may be those needed to pay all costs incident to the purchase, acquisition, construction and establishment of its water system, its sewer system, any garbage collection system, or any one or more of them, or such sum as may be needed to pay the cost of any extension, addition and improvement to the water system, the sewer system, any garbage collection system, or any one or more of them. Neither the faith and credit of the State of South Carolina, nor of Lancaster County, nor of the district shall be pledged for the payment of the principal and interest of the obligations, and there shall be on the face of each obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. So that a convenient procedure for borrowing money pursuant to this paragraph may be prescribed, the district shall be fully empowered to avail itself of all powers granted by Sections 59-361 through 59-415 and Sections 59-651 through 59-682, Code of Laws of South Carolina, 1952. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions. Specifically, and notwithstanding contrary provisions in any such code provisions, the district may:

(a) Provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net

revenues derived from the operation of any revenue producing facility, as such net revenues may be defined by the commission.

(b) Covenant and agree that upon it being adjudged in default as to the payment of any installment of principal or interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured.

(c) Confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also of all revenues derived from the operation of the revenue producing facility, whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by the resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness.

(d) Dispose of its obligations at public or private sale, and upon such terms and conditions as it shall approve.

(e) Make provision for the redemption of any obligations issued by it prior to their stated maturity, with or without premium, and on such terms and conditions as the commission shall approve.

(f) Covenant and agree that any cushion fund established to further secure the payment of the principal and interest of any obligations shall be in a fixed amount.

(g) Covenant and agree that no free service will be furnished to any person, firm, corporation, municipal corporation, or any subdivision or division of the State.

(h) Prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given.

(i) Prescribe the events of default and the terms and conditions upon which all or any obligations shall become or may be declared due before maturity and the terms and conditions upon which such declaration and its consequences may be waived.

(j) Such bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

(k) Such bonds shall be executed in the name of Lancaster Water and Sewer District by the chairman and the secretary of the Lancaster Water and Sewer District Commission, under the seal of the district.

The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution of authentication.

(1) The pledge of net revenues authorized by subparagraph (a) of this Section 19, need not, in the discretion of the commission, be exclusive, and the commission may reserve the right to issue further bonds payable in whole or in part from such net revenues on a parity with the bonds authorized by this paragraph under such conditions as the commission may prescribe.

20. Extend its system or systems, within Lancaster County, beyond the defined limits of the district to provide services to those living outside the district and outside any incorporated municipality, when, in the discretion of the commission, it is feasible and practicable so to do, in which case any person or agency receiving such service shall be subject to the same rules, regulations and requirements, concerning services being received from the commission, as persons residing within the district. The commission may, in its discretion, establish rates and charges higher than those within the district for the extension of its system and the provision of services beyond the limits of the district.

21. Contract with the City of Lancaster for the maintenance and operation of its system or systems during such time or times and upon such terms and conditions as shall be mutually acceptable to the commission and to the City of Lancaster, which City is hereby specifically authorized and empowered to enter into such a contract with the district.

22. Provide in any such contract with the City of Lancaster, or by separate agreement, in the discretion of the commission, for the sale and disposition of the whole or any part of the system or systems of the district to the City of Lancaster upon such terms and conditions as shall be mutually acceptable to the commission and the City of Lancaster, subject, however, to the payment of any outstanding obligations of the district out of the revenues derived from the operation of its facilities, and subject to assumption by the City of Lancaster of the responsibility of continuing operations for the benefit of the public, to the extent permitted by revenues derivable therefrom, of the whole or any part of the system or systems so acquired; and in this connection, the City of Lancaster is specifically authorized

and empowered, in the discretion of its City Council, to enter into such a purchase agreement and assume such responsibility for continued operation of the facilities so acquired.

23. Upon the annexation of any part of the district by any incorporated municipality, then in such event such municipality shall have the exclusive right, at its option, to take over the utility facilities of the district lying within the area so annexed, but such right of acquisition shall be subject and subordinate to any lien or pledge theretofore given by the district to secure in whole or in part any bonds or obligations of the district then outstanding. Such acquisition may be effected through negotiation by mutual agreement, but if such method shall fail, the municipality may, after ninety days' written notice, effect such acquisition through the exercise of eminent domain against the district through the procedure provided by law for condemnation by municipal corporations. If title shall become vested in the municipality as a result of proceedings for condemnation, such title shall be subject to any lien or pledge theretofore given by the district to secure in whole or in part bonds or obligations of the district then outstanding, and the Court having jurisdiction of such proceedings may provide for the postponement or escrow of the purchase price to be paid by the municipality, until such time as the then outstanding bonds or obligations of the district may be paid and the lien and pledge given to secure their payment discharged.

24. Delegate to the City of Lancaster or any other person or agent acting as management agent, the right and power to discontinue service for nonpayment of the established rates and charges and of any penalties or other charges imposed for such nonpayment.

25. Contract with the City of Lancaster for the transportation and treatment of industrial, domestic and other waste during such time or times and upon such terms and conditions as shall be mutually acceptable to the commission and to the City of Lancaster, which City is hereby specifically authorized and empowered to enter into such a contract with the district.

26. Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

SECTION 4. Disposition of revenues.—All revenues derived by the commission from the operation of any revenue producing facility which may not be required to discharge covenants made by it, in issuing bonds, notes or other obligations authorized by this act, shall

be disposed of by the commission, from time to time, for purposes germane to the functions of the district.

SECTION 5. Rates.—The rates charged for services furnished by any revenue producing facility of the district as constructed, improved, enlarged or extended shall not be subject to supervision or regulation of any State bureau, board, commission or other like instrumentality or agency thereof.

SECTION 6. Tax exemptions.—The property and income of the district shall be exempt from all taxes levied by the State, county or any municipality, division, subdivision or agency thereof, direct or indirect.

SECTION 7. Effect of indebtedness.—So long as the district shall be indebted to any person, firm or corporation on any bonds, notes or other obligations, issued pursuant to the authority of this act, the provisions of this act, and the powers granted to the district and the commission shall not be in any way diminished or restricted, and this provision of this act shall be deemed a part of the contract between the district and the holders of such obligations.

SECTION 8. Certain actions prohibited—penalties.—It shall be unlawful for any person to willfully injure or destroy, or in any manner, hurt, damage, tamper with or impair any facility of the district, or any part of the same, or any apparatus or equipment incident thereto or used or useful in the operation of such facility, or to obtain water from its water distribution system or dispose of sewerage in its sewer system except in accordance with the regulations promulgated by the commission. Any person so offending shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten dollars nor more than one hundred dollars, or shall be imprisoned for not more than thirty days at the discretion of the court, and shall be further liable to pay all damages suffered by the district.

SECTION 9. Saving clause.—If any part of this act shall be held unconstitutional, such unconstitutionality shall not affect the remainder of this act.

SECTION 10. Repeal.—All acts, or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R552, H1707)

No. 456**An Act To Provide For The Levy Of Taxes For Ordinary County And Road Purposes For The Fiscal Year July 1, 1959, To July 1, 1960, And To Provide For The Expenditure Thereof In The County Of Lancaster; And To Provide Further For The Fiscal Affairs Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A sufficient tax, not to exceed sixty-five mills, less the estimated revenue to be received by Lancaster County, in 1959, to pay the appropriations hereafter made, the amount of such millage to be determined by the county auditor, after consulting with the members of the Lancaster County Legislative Delegation, is hereby levied upon all the taxable property of Lancaster County for county purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, for the amounts and purposes hereinafter stated, as follows: to wit:

SECTION 2. The fee for witnesses in the Court of General Sessions shall be three dollars per day and mileage, as now provided by law.

SECTION 3. The fee for bailiffs, grand and petit jurors and court criers in the Court of General Sessions and Court of Common Pleas shall be five dollars per day and mileage, as now provided by law.

SECTION 4. Public Works\$125,000.00

Total\$125,000.00

The above appropriation shall be expended for the maintenance of county chain gang, road construction, road maintenance, road equipment, repairs to equipment, materials and supplies for road construction and maintenance, chain gang supplies, salaries of all personnel employed by the Board of Directors or the Road Supervisor, including the salary of the Road Supervisor, and for other county purposes. The board shall also employ a janitor for the county courthouse and office building at such salary as the board may direct, same to be paid from the general county fund. The board shall furnish all necessary supplies needed for janitorial service. The appropriation in this section shall be expended upon warrants approved by the county board of directors. All personnel employed for road construction, road maintenance and chain gang employees shall be employed by

the County Road Supervisor and shall receive such salaries as the Board of Directors shall provide. The above sum in Section 4 of this act for salaries and road maintenance includes the amount to be received from the one cent gasoline tax. The County Board of Directors of Lancaster County is not forbidden to expend in any one quarter of the year for road and bridge purposes a sum in excess of one-fourth of the total amount appropriated in this supply act, as prohibited in Section 33-1761, Code of Laws of South Carolina, 1952. The County Board of Directors is hereby authorized and directed to use whatever money it may receive by reason of the rental or sale of any equipment or commodities produced by it for county or ordinary purposes, as now provided by law; *provided*, however, that such sum shall not be deducted from the appropriations made in this supply act. In addition to the appropriation provided in this section, any and all monies received by the County Board of Directors from the South Carolina State Highway Department by reason of construction contracts entered into between Lancaster County and the State Highway Department shall be expended by the Board of Directors for any of the purposes set out above.

Law Enforcement

Salaries:

Sheriff	\$ 4,600.00
Chief Deputy Sheriff	3,000.00
Expense	1,200.00
Expenses of Sheriff	1,200.00
4 Deputy Sheriffs @ \$225.00 per month	10,800.00
1 Lieutenant @ 250.00 per month	3,000.00
Expense of Deputies, telephone, meals out of town, laundering of uniforms, etc., in performance of duties	4,500.00
Radio Operator (1)	2,520.00
The Sheriff shall have the power to fix the compensation of his deputy sheriffs; <i>provided</i> , however, that no deputy shall receive more than \$300.00 per month nor less than \$275.00.	
Clerk (1), to be paid directly to the clerk employed	2,400.00
2 Deputy Sheriffs who shall be designated as Sergeants @ \$3,000.00 each	6,000.00

2 Expense Accounts @ \$900.00	1,800.00
Jailor	1,200.00

Total	\$ 42,220.00
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Expenses:

Operating jail, including per diem for feeding and maintenance, or so much as may be necessary	\$ 7,500.00
Maintenance Sheriff's automobiles and radios, or so much as may be necessary	10,000.00
Record books, forms, and postage, or so much as may be necessary	300.00
Uniforms for Sheriff's Officers, if so much be necessary	1,800.00

Total	\$ 19,600.00
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Magistrates:

Gills Creek Township	\$ 2,000.00
Hire of Clerk	600.00
Constable, Gills Creek Township	1,800.00
Kershaw	780.00
Constable, Kershaw	500.00
Buford Township	480.00
Constable, Buford Township	400.00
Cedar Creek Township	480.00
Constable, Cedar Creek Township	400.00
Cane Creek Township	940.00
Constable, Cane Creek Township	600.00
Indianland Township	460.00
Constable, Indianland Township	280.00
Pleasant Hill Township	460.00
Constable, Pleasant Hill Township	400.00
Flat Creek Township	460.00
Constable, Flat Creek Township	300.00
Waxhaw Township	460.00
Constable, Waxhaw Township	400.00

Total	\$ 12,200.00
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County Director's Office

Salaries:

Chairman of Board	\$ 1,020.00
Clerk of Board, to be paid directly to clerk employed	960.00
Directors (6) @ \$900.00 each	5,400.00
County Board Bookkeeper and Secretary	4,200.00
Secretary	2,400.00
Travel expense for 7 directors of the Board to be paid to each at the rate of \$150.00 per year ..	1,050.00
Travel expenses for the chairman of the Board for a year	600.00
Total	\$ 15,630.00

Auditor's Office

Salary in addition to the portion paid by the State under the General Appropriation Act and Expenses for County Auditor	\$ 2,300.00
Travel and Expenses for Auditor	1,200.00
Clerk to County Auditor, to be paid directly to the Clerk employed	2,400.00
Equalization Board	1,300.00
Total	\$ 7,200.00

County Treasurer's Office

Salary in addition to the amount to be paid by the State under the General Appropriation Act and expenses for County Treasurer	\$ 2,000.00
Clerk to Treasurer, to be paid directly to clerk employed	2,400.00
To compensate for extra work and mailing out tax notices	1,200.00
Total	\$ 5,600.00

Clerk of Court's Office

Salary	\$ 600.00
Salary to secretary for Clerk of Court	2,400.00
Postage, record books, office supplies and printing, or so much as may be necessary	1,800.00
Total	\$ 4,800.00

Probate Judge

Clerk to Probate Judge, to be paid directly to clerk employed	2,400.00
Postage, record books, printing and office supplies, or so much as may be necessary	500.00
For Lunacy Proceedings, if so much be necessary	500.00

Total \$ 3,400.00

County Attorney

Salary	\$ 1,200.00
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Total \$ 1,200.00

County Coroner

Salary—Coroner	\$ 1,200.00
Stenographer, when necessary, not to exceed \$10.00 per inquest	100.00
Printing and Official Blanks	25.00
Travel Expense for coroner, not to exceed \$300.00	300.00

Total \$ 1,625.00

Farm and County Agent's Departments

County Agent—Official Expense	\$ 600.00
Negro County Agent—Official Expense	400.00
Assistant Home Demonstration Agent—Travel Expense	600.00
Clerk—Home Demonstration Agent's Office, to be paid directly to clerk employed	1,800.00
Clerk—Negro County Agent's Office, to be paid directly to clerk employed	1,300.00
Travel—Negro Home Demonstration Agent ..	740.00
Stenographic work—County Agent's Office	180.00
Assistant County Agent's official expenses	600.00
Demonstration Supplies, County Agent's Office	50.00
Demonstration Supplies, Negro County Agent's Office	50.00
Boys' and Girls' Club Work	100.00
Boys' and Girls' Club Work—Negro	100.00
Rental—FHA	180.00

Rental—AAA	600.00
Stamps and incidentals—County Agent's Office	50.00
Rent for colored Home Demonstration Agent's Office	150.00
Total	\$ 7,500.00
County Game Wardens	
Travel and Expense	\$ 600.00
Total	\$ 600.00
Forestry Rangers	
Expenses and supplemental salaries	\$ 1,680.00
Total	\$ 1,680.00
County Nursing Home—support of inmates and medical supplies, hospitalization and miscellaneous expenses (if so much be necessary)	\$ 15,000.00
Total	\$ 15,000.00
Health Centers	
Part salary for one P. H. Nurse I	\$ 345.00
Travel for Sanitarian I @ \$90.00 per month ..	1,080.00
Travel for four P. H. Nurses I @ \$90.00 per month	4,320.00
Travel for County Health Officer II	820.00
Janitor Service	960.00
Drugs and supplies (Lancaster)	795.00
Drugs and Supplies (Kershaw)	180.00
Lights, fuel, water, repairs	1,500.00
Total	\$ 10,000.00
Vital Statistics and Post Mortems	\$ 500.00
Total	\$ 500.00
Court Expenses	
Jurors, Witnesses, Bailiff	\$ 3,500.00
Stenographer, Parole Office	200.00
Total	\$ 3,700.00

Service Officer

Salary and expenses of Service Officer	\$ 4,800.00
Salary, Clerk to Service Officer	2,400.00
Total	\$ 7,200.00

Miscellaneous

Lancaster County Rescue Squad	\$ 500.00
10 Rural Fire Fighting Units	10,000.00
Liability Insurance—Sheriff's Cars	900.00
Insurance on Public Buildings	1,500.00
Workmen's Compensation Insurance	1,750.00
Premium on Blanket Employees' Bond and Bonds of County Officials	1,200.00
Liability Insurance—County Trucks and Cars and Boiler Insurance Premiums	600.00
Telephone and Service Tolls for County Offices	3,000.00
Printing, Postage, Stationery, Office Supplies and Stamps (Treasurer)	2,000.00
Lights, Water, Fuel and Maintenance of County Office Building and Courthouse	3,000.00
Water Service, Marion Sims Hospital	1,500.00
Salary, County Minister	1,200.00
Salary, County Physician	1,200.00
County's Contributions—Retirement System ..	6,000.00
Salary for Secretary, County Board of Registra- tion	600.00
Civil Air Patrol—\$500.00 Kershaw, and \$500- .00 Lane	1,000.00
National Guard Unit at Lancaster	500.00
Tuberculosis Association	200.00
Crippled Children Society	200.00
Mental Health	100.00
Kershaw Public Library	1,000.00
D.A.V. Publication Ad	250.00
Total	\$ 38,200.00
GRAND TOTAL	\$322,855.00

Less Estimated Revenue Other Than Taxes:

Gasoline Tax	\$125,000.00
Insurance Licenses Fees	12,000.00
County Service Officer	4,500.00
Alcoholic Liquor and Beer Tax	33,500.00
State Income Tax	32,500.00
State Bank Tax	10,000.00
Fines and Forfeitures	50,000.00
Miscellaneous	1,000.00
Total	\$268,500.00

Amount to be raised by Taxation \$ 54,355.00

Any sums not expended from the appropriations herein set forth, together with any surplus remaining over and above the total appropriations, shall be placed in the General Fund of the County.

SECTION 5. The county board of directors is hereby authorized to set aside out of the road fund such sum of money as, in its judgment, may be required in the interim between the regular monthly meetings for use in meeting weekly payrolls for labor, and to pay for freight, express and repairs for machinery, and the county treasurer is hereby authorized to make disbursements out of such special fund only on itemized claims of the chairman of the county board, which claims shall be regularly filed by the county treasurer with the county board of directors for formal approval by a majority thereof; the said approval or disapproval shall be recorded in the minutes of the board. The board is authorized and directed to pay the expenses of the audit authorized by the board for the past fiscal year. All claims must be made out and listed separately. All other claims against the county, including direct appropriation herein, shall be paid by the county treasurer only upon claims approved by the county board of directors.

SECTION 6. The sum of two thousand five hundred dollars, if so much be necessary, is hereby appropriated to be expended for needy and emergency cases of sickness; to be paid on recommendation of the County Minister or County Physician, with the approval of the County Board of Directors. *Provided*, that no person shall receive more than twenty-five dollars during the fiscal year.

SECTION 7. The jailor, under supervision of the sheriff, is hereby required to pay all operating expenses of the jail, except the per diem for dieting prisoners, hereinafter provided for, and except water, rents, fuel and electric lights. The sheriff shall receive, in addition to his salary, his necessary expenses in going to and returning when called beyond the limits of the county on official business, and shall receive one dollar per day for dieting each prisoner.

The above salary of the sheriff shall be in full for all services rendered the county, including the summoning of juries for the Court of General Sessions and Common Pleas; jailor to receive, in addition to one hundred dollars per month, fifty cents for each commitment and fifty cents for each discharge.

SECTION 8. The county board of directors is hereby authorized to pay the salaries of the county officers, magistrates and constables monthly; *provided*, the county board of directors shall not in any event appropriate or expend in excess of the amounts herein appropriated; *provided*, further, that the salaries of the clerks employed by the superintendent of education in his office shall be paid out of the county board of education funds.

SECTION 9. It shall be unlawful for any county official or employee to use any automobile, truck, tractor, gasoline or oil, or other property belonging to the county, except for county purposes.

SECTION 10. The board of directors is hereby authorized and directed to maintain telephone service in the following offices: County Director's office, Sheriff's office, Treasurer's office, Auditor's office, Probate Judge's office, Clerk of Court's office, Department of Public Welfare, Magistrate at Gills Creek Township's office, County Health Department office, County Service Officer and the Armory. *Provided*, that no long distance telephone calls shall be made from any telephone furnished by the county except for official calls made in connection with the particular office. Telephone service for superintendent of education's office is to be paid from funds allotted to schools. Each county official in whose office a telephone is maintained shall certify monthly to the board of directors that all long distance calls made from his office were for official county business. The payment of all long distance calls shall be approved by the county board of directors.

SECTION 11. The county board of directors is hereby empowered and directed, upon the written authority of the Senator and at least

one member of the House of Representatives from Lancaster County, to have an audit made of each county office from the time of the previous audit to July 1, 1959. An amount sufficient to defray the cost of such audit is hereby appropriated out of the general funds of Lancaster County. All such audits are to be made by a certified public accountant. In addition to the audit above provided, any superintendent or principal or any other school employee of Lancaster County who handles any school funds shall maintain a complete record of all receipts and disbursements, and on or before August 1, 1959, and each year thereafter, their books shall be audited by an accountant and a certified copy of same shall be filed with the county board of directors. Any necessary expenses for school audit shall be paid from the funds of the county board of education.

SECTION 12. Each and every magistrate in Lancaster County is hereby required to file with the county board of directors each month a report showing the name of each party for whom a warrant was issued; the amount of fines collected; sentences given; the cases appealed to the Circuit Court and the cases sent up to the Circuit Court. It shall be unlawful for the county board of directors to issue pay warrants to any magistrate until such report is filed.

SECTION 13. In order to secure a more adequate law enforcement, the Sheriff of Lancaster County is hereby empowered to employ an additional deputy or deputies, if such be necessary. This shall be done only on the written direction of the Senator and at least one member of the House of Representatives from Lancaster County. The compensation of such deputy or deputies shall be fixed by the Senator and at least one member of the House of Representatives from Lancaster County. Such amount as may be fixed by them is hereby appropriated out of the general funds of Lancaster County.

SECTION 14. The county board of directors of Lancaster County is hereby authorized, empowered and directed, with the approval of the Senator and at least one member of the House of Representatives from Lancaster County, to borrow money for such public purposes as may be necessary, and to irrevocably pledge the levies and the faith, credit and taxing power of Lancaster County for the payment of all monies which may be borrowed hereunder.

SECTION 15. Any appropriation, expenditure or money borrowed or other acts made by the county board of directors under the au-

thority of the Lancaster County Supply Act authorized by written authority of the Senator and one member of the Lancaster County Legislative Delegation are hereby validated.

SECTION 16. There is hereby appropriated the sum of two hundred and fifty dollars for maintenance of historical sites, to be expended by the Lancaster County Chapter of the Daughters of the American Revolution, and seven hundred and fifty dollars for the Lancaster County Historical Society to be expended for necessary travel and all other expenses incident to the needs of the Society.

SECTION 17. A tax of one and one-half mills is hereby levied upon all taxable property in Lancaster County for school recreation purposes. Such money is to be disbursed by the county board of education to various schools or organizations of the county, allocations to be approved by the board of education and a majority of the legislative delegation, including the Senator. This provision for a two mill levy, countywide, is intended and hereby repeals any act or acts inconsistent with this provision. This levy shall be considered as a part of school levy.

A tax of three mills is hereby levied upon all taxable property in Lancaster County for the upkeep of school buildings, grounds, labor, etc. This money shall be distributed as follows: twenty thousand dollars shall remain with the board of education to be used for major repairs and upkeep of county school buildings; twenty-five thousand dollars shall be distributed to the superintendents and boards of trustees of the Lancaster, Heath Springs, Kershaw, Flat Creek, Buford and Indianland High School Areas on the basis of two dollars and fifty cents per pupil for all pupils enrolled.

SECTION 18. It shall be unlawful for the board of directors or supervisor of roads for Lancaster County to offer for sale or dispose of any property or equipment of any kind having a value of five hundred dollars, or more, without first obtaining the written approval of a majority of the legislative delegation, including the Senator. The supervisor of roads is hereby authorized to purchase any emergency repairs or equipment where the item so purchased does not cost in excess of five hundred dollars. All major items or heavy road-working equipment is to be purchased by majority approval of the board after obtaining written authorization from a majority of the legislative delegation, including the Senator.

SECTION 19. In order for the county to participate in federal funds or other sources of funds for the construction and equipping of a health center or centers, and the right to acquire land for the same, the county board of directors shall provide the necessary legal authority for the board, through its chairman, to apply through the State Board of Health for federal funds to assist in the construction and equipping of such health center or centers, and for the purchase of necessary land or acquire the necessary land by gift, devise or otherwise.

The authority granted shall enable the proper person or persons to legally apply and enter into agreements or contracts for federal or other funds. It is further provided that if any funds are received, they shall be deposited in the county treasury and shall be paid out in accordance with the plans, agreements and contracts authorized to be entered into for such financial assistance as may be available.

All such acts herein authorized shall be in accordance with Public Law 725 of the 79th Congress of the United States entitled "Hospital Survey and Construction Act" and the "State Hospital and Licensing Act" and regulations issued under the authority of the same.

SECTION 20. The chairman of the county board of education shall receive an annual salary of six hundred dollars and each member of the board shall receive the sum of five hundred dollars per annum. The chairman and the members of the board shall also be entitled to mileage at the rate of seven cents per mile traveled in attendance upon the meetings of the board; *provided*, that such sum shall be paid from funds allocated to the county board of education.

SECTION 21. The county board of directors is hereby authorized to expend a sum not to exceed one thousand dollars for the maintenance and operation of meeting room for Civil Air Patrol Unit at Lancaster and Kershaw, the sum to be expended for such purposes according to plans or regulations set forth by the board of directors.

SECTION 22. Any or all funds received by Lancaster County under the provisions of the General Appropriations Act for the State of South Carolina for the fiscal year 1959-1960 for school purposes shall be used to defray costs of the budget for the Lancaster County schools for the year 1959-1960. In preparing the school budget for the school year 1959-1960, the county board of education is hereby authorized and directed to pay to all school teachers in Lancaster County seven hundred dollars per year supplement for the school year 1959-1960;

provided, that no school teacher shall receive less salary than he or she received during the school year 1958-1959.

SECTION 23. An amount of fifteen thousand dollars—Lancaster, ten thousand; Heath Springs, five hundred; and Kershaw, one thousand five hundred—is hereby appropriated for parks and playgrounds; *provided*, that each town, by taxation, matches dollar for dollar the funds appropriated by the county; also any county community project approved by a majority of the delegation, including the Senator.

SECTION 24. For the fiscal year July 1, 1959, to July 1, 1960, any and all manufactories newly constructed, and any and all additions and enlargements to existing manufactories in Lancaster County, involving an expenditure and investment of not less than two hundred thousand dollars, shall be exempt from all county taxes for a period of five years from the time of completion of new construction, additions or enlargements.

SECTION 25. Six thousand six hundred dollars is hereby appropriated for the Juvenile Domestic Relations Court of Lancaster County. *Provided*, that the funds appropriated in this section shall be disbursed upon vouchers signed by the chairman and countersigned by the secretary and treasurer of the advisory board of the Juvenile Domestic Relations Court of Lancaster County.

SECTION 26. A sufficient amount of money is hereby appropriated for the Board of Directors of the Lancaster Watershed Area Protective Association of Lancaster County; *provided*, that the funds appropriated in this section shall be disbursed upon vouchers signed by the chairman and countersigned by the secretary of the Lancaster Watershed Area Protective Association of Lancaster County, and approved by the Lancaster County Board of Directors.

SECTION 27. Six hundred dollars is hereby appropriated for the Lancaster County Board of Health to be used for the purpose of operating a dog pound in the county.

SECTION 28. If circumstances arise, which, in the judgment of the Lancaster County Legislative Delegation or a majority thereof, including the Senator, require the expenditure of a greater amount than hereinabove provided for any purposes, or should, in the judgment of the delegation, or a majority thereof, including the Senator, the interest of Lancaster County require the expenditure of funds

for purposes not mentioned in this act and above enumerated, then the delegation, or a majority thereof, shall have, and is hereby given the right by resolution to increase the amount appropriated for any item, and may also appropriate funds for purposes not mentioned or referred to in this act, which resolution, or resolutions, shall be filed with the board of county directors for Lancaster County as its authority for expending the funds thus appropriated, and the board of directors may borrow, if necessary, such amounts as may be required to meet such increases or additional appropriations, and may pledge the full faith and credit of Lancaster County for the payment of the amounts so borrowed.

SECTION 29. One mill of the Board of Education's tax levy shall be used for establishing and helping to finance the branch of the Extension Division of the University of South Carolina to be established in Lancaster County.

SECTION 30. All acts or parts of acts inconsistent herewith are repealed.

SECTION 31. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R95, H1229)

No. 457

An Act To Validate A Loan To Laurens County For Hospital Purposes By The Division Of Sinking Funds And Property, State Budget And Control Board, In The Amount Of Fifty Thousand Dollars, And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Loan to Laurens County validated.—The loan of fifty thousand dollars to Laurens County for hospital purposes made on December 31, 1958, and evidenced by a note executed by the Treasurer and Supervisor of Laurens County to the Division of Sinking Funds and Property, State Budget and Control Board, is hereby validated in all respects.

SECTION 2. Payment.—The full faith, credit and taxing power of Laurens County are hereby irrevocably pledged to the payment of the

indebtedness and interest thereon. In order to provide for the payment of the loan and the interest thereon, the county auditor shall levy and the county treasurer shall collect an annual tax upon all the taxable property of Laurens County sufficient to pay the loan and interest within a period of five years.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 5th day of March, 1959.

(R101, S102)

No. 458

An Act To Make Provision For Public Hospital Facilities For Laurens County Through The Creation Of Two Hospital Districts Which Shall Be Respectively Named Laurens Hospital District And Clinton Hospital District, To Provide For The Appointment Of A Board Of Directors For The Clinton Hospital District, To Prescribe Their Powers, To Authorize The District To Issue Not Exceeding Five Hundred And Fifty Thousand Dollars Of General Obligation Bonds, Whose Proceeds Shall Be Used In The Acquisition And Construction Of A Public Hospital, To Make Provision For The Payment Thereof, To Provide For The Transfer Of Certain Assets And Liabilities Of Laurens County To Laurens Hospital District, And To Provide That Charity Patients Shall Be Served By The Laurens Hospital Until The Clinton Hospital District Shall Be In Full Operation And The Tax Levy Provided By Law For Charity Patients Shall Continue In Full Force And Effect.

Whereas, Laurens County maintains a hospital in the City of Laurens, established pursuant to Act No. 1035 of the Acts of 1930 as implemented by Act No. 453 of the Acts of 1931, open to the public of Laurens County under reasonable regulations, and governed by the Board of Trustees established by Act No. 610 of the Acts of 1957; and

Whereas, after a survey of the existing facilities it has been decided that further facilities are needed for the public of Laurens County, but

that the needs of the county could be better met if two separate hospitals functioned; and

Whereas, it has been determined that the most practical method of so increasing hospital facilities would be through a division of the county into two hospital districts which should be known as Laurens Hospital District and Clinton Hospital District, respectively, and which should serve the needs of those in each district; and

Whereas, notwithstanding that the existing facilities have been procured in part through countywide taxation, in view of the age of the existing facilities it has been deemed equitable to provide that such facilities as now exist shall be given to Laurens Hospital District upon the condition that such district assume all present liabilities incurred by Laurens County for such hospital, and that Clinton Hospital District shall proceed to construct a new hospital facility. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County to have two hospital districts.—

There are hereby created in Laurens County two hospital districts—the one which shall be designated as Clinton Hospital District, shall comprise all that portion of Laurens County which now comprises School District No. 56 of Laurens County, with the exception of the areas which formerly constituted School Districts Nos. 1, 2, 3, 4, 6 and 13 of the Cross Hill Township of the county prior to the division of the county into two school districts; such areas constitute a part of Cross Hill Township and are shown on a map of Laurens County made about 1907 by W. H. Nash, Surveyor, and recorded in Plat Book No. 12 at page 229, in the office of the Clerk of Court of Laurens County. The second district shall be known as Laurens Hospital District and shall be comprised of all of Laurens County not included in Clinton Hospital District.

SECTION 2. Laurens Hospital District to take over Laurens County Hospital.—

Upon the effective date of this act the existing Laurens County Hospital in the City of Laurens, all real estate, all monies and accounts receivable standing to the credit of the Board of Trustees of Laurens County Hospital, all furnishings, equipment, medicines and medical supplies therein situate shall become the property of Laurens Hospital District. Such district shall assume and be responsible for all existing obligations incurred by Laurens County for such hospital and the provisions of Act 610 of the Acts of 1957

relating to the management of such hospital shall continue. Such district shall continue to furnish hospital service to persons residing in Clinton Hospital District until the Clinton Hospital District shall have constructed and placed in operation a public hospital. *Provided*, however, that charity patients shall be served by the Laurens Hospital until the Clinton Hospital District shall be in full operation and the tax levy provided by law for charity patients shall continue in full force and effect.

SECTION 3. Board of Directors to be appointed for Clinton Hospital District—members—terms—vacancies — officers. — For the purpose of supervising the acquisition and construction of a hospital, and for the purpose of thereafter operating and maintaining the same, a Board of Directors to be known as Clinton Hospital Board of Directors is hereby established. Such board shall consist of five qualified registered electors residing in the district. Initial appointments shall be made by the Governor, upon the recommendation of a majority of the legislative delegation, including the Senator, from Laurens County. Of those first appointed one shall have a term of one year; a second shall have a term of two years; a third shall have a term of three years; a fourth shall have a term of four years; and the fifth shall have a term of five years. The initial terms of office shall terminate on the appropriate anniversary of the effective date of this act, notwithstanding that a delay in making appointments shall lessen such initial terms. Upon the expiration of the terms of office of those first appointed, successors shall be appointed by the Governor, for terms of five years, who shall consider the recommendation of a majority of the remaining members of the Board of Directors in making such appointment. If any vacancy shall arise, a successor shall be appointed by the Governor, after giving consideration to the recommendation of the remaining members of the board, for the balance of the unexpired term. As soon following its initial appointment as shall be convenient, the board shall organize by electing one of its members as chairman, another as vice-chairman and another as secretary. A transcript of the record of the initial organization shall be filed with the Clerk of Court of Laurens County in order to reflect the initial membership of the board and those who shall be officers thereof.

SECTION 4. Powers and duties.—The Clinton Hospital Board shall be authorized and empowered to do all things necessary or

convenient for the establishment and maintenance of adequate hospital facilities for Clinton Hospital District, and without limiting in any way the generality of the foregoing shall be empowered as follows:

- (1) To adopt and use a corporate seal.
- (2) To adopt such bylaws, rules and regulations for the conduct of business and the expenditure of its funds as it may deem advisable.
- (3) To acquire a site within the district and to construct and equip a hospital thereon.
- (4) To acquire by gift, or purchase, or otherwise, all kinds and descriptions of real and personal property.
- (5) To accept gifts, grants, donations, devises and bequests.
- (6) To adequately staff and equip any hospital that it may operate.
- (7) To provide teaching and instruction programs and schools for nurses, hospital technicians, and physicians during internship and residency.
- (8) To employ such personnel as it may deem necessary for the efficient operation of its hospital facilities.
- (9) To establish and promulgate reasonable rates for the use of the services and facilities afforded by its hospital.
- (10) To promulgate reasonable regulations concerning the use of the facilities maintained by the board including reasonable rules governing the conduct of physicians, nurses and technicians while on duty or practicing their profession in the facilities maintained by the board and the determination of whether patients presented to the hospital for treatment are subject for charity and to fix compensation to be paid by patients other than those unable to assist themselves.
- (11) To the extent that funds may be available, to operate and maintain a charity ward and free services for residents of the district who are destitute and unable to pay for needed hospitalization.
- (12) To expend the proceeds derived from the charges made for the use of the services and facilities of the hospital for operation and maintenance thereof.
- (13) To determine the fiscal year upon which the affairs of the board shall be conducted.
- (14) To expend any funds received in any manner, including the proceeds derived from the issue of bonds hereinafter authorized, to defray any costs incident to establishing, constructing, equipping and maintaining hospital facilities:

(15) To apply to the Federal Government and any other governmental agency for a grant of moneys to aid in the construction and equipment of any hospital and to accept any such grant.

(16) To lease its hospital facilities to any eleemosynary corporation incorporated under the laws of South Carolina who shall undertake in the contract of lease to operate the hospital in accordance with the regulations promulgated by the board and under such conditions as shall insure the use of hospital facilities to all members of the public to the extent of availability, and which shall insure services to indigent persons to the extent of the financial ability of such corporation.

SECTION 5. Reports—audit.—The board shall at all times keep full and accurate account of its actings and doings and of its receipts and expenditures, and at least once within four months, following the close of its fiscal year a complete audit of its affairs shall be made by a qualified public accountant. Copies of the same shall be filed with the Clerk of Court for Laurens County and with the Secretary or Acting Secretary of the Laurens County Delegation to the General Assembly.

SECTION 6. Clinton Hospital District may issue bonds.—To provide the funds necessary for the purpose of acquiring a site and construing and equipping a hospital the Clinton Hospital Board is hereby empowered to issue not to exceed five hundred fifty thousand dollars of general obligation bonds of Clinton Hospital District. The proceeds of the bonds shall be deposited with the Treasurer of Laurens County and expended upon warrant of the Clinton Hospital Board to meet costs incident to the acquisition and construction of hospital facilities. The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the board, except that the maturity date of the last installment shall fall due not later than thirty years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the board, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the board shall prescribe. The bonds shall bear such rate or rates of interest as the board may determine, payable on such occasions as it shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to

principal on the books of the Treasurer of Laurens County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer) upon such conditions as the board may prescribe. They shall bear such date or dates and be payable at such place or places as the board may likewise prescribe.

The bonds and the interest coupons thereunto attached shall be executed in such manner as the board shall prescribe.

The bonds shall be sold by the board at not less than par and accrued interest to the date of their respective deliveries at public sale, and at least ten days prior to any such sale; notice, announcing the intention to receive bids for the sale of any bonds authorized by this act shall be published in a newspaper of general circulation in the State of South Carolina.

The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

For the payment of the principal and interest of all bonds issued pursuant to this act, as the same respectively mature, and for the creating of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Clinton Hospital District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Laurens County, and collected by the Treasurer of Laurens County, in the same manner as county taxes are levied and collected an ad valorem tax on all taxable property in Clinton Hospital District sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

Any action of the board may be taken at any meeting of the board, regular or special, and at such meeting a majority of the members shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the board by the provisions of this act.

SECTION 7. Each district only responsible for patients from its own area.—Upon the completion of the hospital for Clinton Hospital District and its readiness to receive and care for patients, the hospitals of each district shall be relieved of responsibility for the care of patients of the other district.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R152, S161)

No. 459**An Act To Remove From The State Highway Road System A Certain Road In Laurens County.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Road in Laurens County to be removed from State Highway System.—The State Highway Department is hereby directed to remove from the State Highway Road System the following road in Laurens County:

The Fred Davis spur, being a spur from Meadow Road (Road 248) approximately one hundred feet in length and shown on map of Laurens dated June 1, 1957.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R249, S234)

No. 460**An Act Transferring Surplus Funds Realized From Tax Levies To Retire Bonded Indebtedness Of School District No. 55 Of Laurens County To The General Operating Fund Of The School District.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Surplus funds for bond retirement levies transferred to Laurens County School District 55 general operating fund.—All outstanding bonds of School District No. 55 of Laurens County having been paid in full, all surplus funds realized from the tax levy to retire such bonds are hereby transferred to the

general operating fund of the school district. All delinquent taxes of special levies to cover the retirement of the bonds shall likewise be transferred to the general operating fund of the school district as collected.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R371, S284)

No. 461

An Act To Amend An Act Of 1959, Bearing Ratification Number 101, Relating To Hospitals In Laurens County, So As To Define The Terms Of Office Of The Board Of Directors.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 458 of 1959, amended—terms of directors of Laurens County hospitals.—Section 2 of an act of 1959, bearing ratification number 101, is amended by adding at the end thereof the following :

“All terms of office, after the original appointments, shall be for five years or for the remainder of the term.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R447, H1485)

No. 462

An Act To Authorize Laurens County To Issue Bonds In An Amount Not Exceeding One Hundred Thousand Dollars; To Provide For The Use Of The Funds; And To Make Provisions For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Laurens County may issue bonds—use of proceeds—approval of certain expenditures—issue.—Laurens County is hereby authorized to issue bonds in an amount not to exceed one hundred thousand dollars. The proceeds from the bonds shall be used for making permanent improvements to county roads, the county jail and courthouse; *provided*, that at least fifty per cent of the proceeds of the bonds shall be used for making permanent improvements to county roads. Before any money is spent for making permanent improvements to the county roads, the proposed improvements must have the approval of the county supervisor and at least one of the members of the county board of commissioners. The bonds provided for in this act shall be issued during the calendar year 1959.

SECTION 2. Interest—when and where payable—form—maturity.—The bonds shall bear interest at the rate of not exceeding an average of four per cent per annum, payable semiannually, shall be payable at such time or times and at such place or places and shall be in such form as the county supervisor and at least one member of the County Board of Commissioners of Laurens County may direct. *Provided*, the bonds shall mature within twenty years from the dates of their issue.

SECTION 3. Sale—use of proceeds.—The bonds shall be sold by the County Board of Commissioners of Laurens County at public or private sale, but for not less than par and accrued interest. The proceeds of such sale shall be for the purpose provided in Section 1 of this act. *Provided*, that the bonds may be sold all at one time or in such blocks and at such times as the county supervisor and at least one member of the County Board of Commissioners of Laurens County may deem advisable or necessary.

SECTION 4. Signatures.—The bonds shall be signed by the County Treasurer and the County Supervisor of Laurens County; *provided*, that the interest coupons attached to the bonds may bear their facsimile or lithographed signatures.

SECTION 5. Payment—tax levy.—For the prompt payment of the principal and interest of the bonds as they severally become due, the full faith, credit, resources and taxing power of Laurens County are hereby irrevocably pledged. The Auditor of Laurens County is hereby authorized and directed to make a sufficient annual levy upon

all taxable property in Laurens County to pay the principal and interest as the same shall become due, and the Treasurer of Laurens County is hereby authorized and directed to collect sufficient taxes to pay same. *Provided*, that if any funds remain after payment of the principal and interest on other bond issues from levies made for the purpose of retiring such bonds, then such funds remaining shall be used to retire the bonds authorized to be issued by this act.

SECTION 6. Saving clause.—If any of the provisions of this act shall be held unconstitutional, such unconstitutionality shall not affect any of the remaining provisions of this act.

SECTION 7. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 8. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R513, H1822)

No. 463

An Act To Amend An Act Of 1959 Bearing Ratification No. 101, Relating To Public Hospital Facilities For Laurens County, So As To Further Define Certain Property Which Shall Become The Property Of Laurens Hospital District.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 2 of Act 458 of 1959, further amended—Laurens Hospital District to take over Laurens County Hospital.
—Section 2 of an act of 1959 bearing Ratification No. 101 is amended to read as follows:

“Section 2. Upon the effective date of this act the existing Laurens County Hospital in the City of Laurens, all real estate held in the name of the Laurens County Hospital or Laurens County and contiguous to the hospital properties, all monies and accounts receivable standing to the credit of the Board of Trustees of Laurens County Hospital, all furnishings, equipment, medicines and medical supplies therein situate shall become the property of Laurens Hospital District. Such district shall assume and be responsible for all existing obligations incurred by Laurens County for such hospital and the pro-

visions of Act 610 of the Acts of 1957 relating to the management of such hospital shall continue. Such district shall continue to furnish hospital service to persons residing in Clinton Hospital District until the Clinton Hospital District shall have constructed and placed in operation a public hospital. *Provided*, however, that charity patients shall be served by the Laurens Hospital until the Clinton Hospital District shall be in full operation and the tax levy provided by law for charity patients shall continue in full force and effect."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R529, H1729)

No. 464

An Act To Provide For The Levy Of Taxes For School And County Purposes For The Fiscal Year 1959-1960; To Direct The Expenditure Thereof; To Provide For The Borrowing Of Money For Laurens County; To Provide A Supplemental Appropriation For The Fiscal Year 1958-1959; To Provide Authority For Peace Officers; And To Further Regulate The Fiscal Affairs Of Laurens County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The County Auditor of Laurens County is hereby directed to levy a tax of nine mills on all taxable property of Laurens County for the year 1959 which, together with the estimated revenues for the fiscal year 1959-1960 from other sources applicable to county purposes, shall be sufficient to raise the sums of money hereinafter appropriated. The County Treasurer of Laurens County is hereby directed to collect the tax in the manner provided by law.

SECTION 2. Subject to the terms and conditions of this act, the sums of money set forth herein, if so much be necessary, be, and the same are hereby appropriated out of the general fund of Laurens County, to meet the ordinary operating expenses of Laurens County applicable to the fiscal year 1959-1960, and for such other purposes as may be hereinafter specifically designated.

SECTION 3. APPROPRIATIONS:

Item 1. Board of Commissioners:

A. Salaries:

1. Supervisor	\$ 4,500.00
2. Commissioners—(2 @ \$665.00 each)	1,330.00
3. Clerk	2,750.00
4. Assistant Clerk	1,250.00

 9,830.00

B. 1. Travel for Supervisor	1,800.00
2. Travel for 2 Commissioners @ \$350.00	700.00

 2,500.00

C. Office Supplies	700.00
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 700.00

Provided, that \$100.00 of the above amount shall be applied to 1958-1959 expenditures.

D. Courthouse:

1. Water, lights, fuel, telephone, janitor, supplies, cleaning grounds	8,500.00
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Provided, that \$1,000.00 of the above amount, if so much be necessary, shall be applied to the 1958-1959 expenditures.

2. Beautifying the lawn and building walks—to be done under the supervision of the Laurens County Garden Clubs	100.00
3. Ladies' Rest Room	900.00

 9,500.00

E. Insurance—for Courthouse, Jail, County Home, Agriculture Building and Chain Gang Camp Buildings	1,500.00
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 1,500.00

F. Supervisor:

1. Salaries	49,280.00
2. Food supplies and clothing	20,000.00
3. Gas and oil	20,000.00
4. Maintenance of roads and bridges and supplies	50,000.00

5. Gravel	6,000.00
6. Construction of Airstrip	1,000.00
7. Trucks and Road Machinery	15,000.00
8. Parking Area for Graham Manufacturing Plant	2,470.35

163,750.35

G. County Home:

1. Salaries:

a. Superintendent	1,936.00
b. Assistant to Superintendent	385.00
c. Additional help to care for inmates	2,500.00
2. Food, clothing, fuel, lights, etc. for inmates, and for farming expenses	12,500.00

17,321.00

Provided, that \$3,500.00 of this amount shall be applied to 1958-1959 expenditures.

H. S. C. Retirement System for County Employees	5,500.00
H-1. County's part of Social Security	4,500.00
H-2. County's part of Travelers Insurance	350.00

10,350.00

I. S. C. Industrial Commission—Premium for Workmen's Compensation Insurance	2,000.00
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2,000.00

J. County Attorney—the County Attorney shall be elected annually by the Supervisor and County Commissioners	500.00
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500.00

TOTAL, ITEM 1\$217,951.35

Item 2. Clerk of Court:

A. Salaries:

1. Clerk of Court	\$ 4,500.00
2. Deputy Clerk	2,750.00
3. Clerical Assistant	2,500.00

4. Janitor for courthouse—to be named by Clerk of Court and perform such duties as the clerk prescribes	2,200.00
	11,950.00
B. Travel for Clerk of Court	300.00
	300.00
C. Office Supplies	3,250.00
1. Photostat machine	2,500.00
	5,750.00
D. Circuit Court and Civil and Domestic Relations Court—expenses, including jurors, witnesses and bailiffs	18,500.00
	18,500.00

Provided, however, that so much of the above amount as is necessary shall be applied to 1958-1959 expenditures.

Provided, witnesses shall receive two dollars per day and all jurors, bailiffs and the court crier in attendance upon the court shall receive as compensation the sum of seven dollars and fifty cents per diem and mileage as now prescribed by law.

TOTAL, ITEM 2	\$ 36,500.00
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Item 3. Auditor:

A. Salaries:

1. Auditor	\$ 1,655.00
2. First Assistant	2,750.00
3. Second Assistant	2,500.00
4. Additional help	1,800.00

Provided, that \$600.00 of the above \$1,800.00 shall be applied to 1958-1959 expenditures:

		8,705.00
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- B. Office Supplies 1,000.00
Provided, that \$250.00 of the above amount shall
be applied to 1958-1959 expenditures.

1,000.00

- C. Board of Assessors and Equalization—each
member shall be paid seven dollars and fifty
cents per day for services actually rendered,
plus state mileage of seven cents per mile 2,250.00

2,250.00

- D. Travel for Auditor 600.00

600.00

TOTAL, ITEM 3 \$ 12,555.00

Item 4. Treasurer:

A. Salaries:

1. Treasurer \$ 1,655.00
2. Assistant 2,750.00

4,405.00

B. Tax Collector:

1. Salaries:

- a. Supervisor, Tax Collector's Office \$ 600.00
b. Deputy Delinquent Tax Collector 3,600.00

4,200.00

Provided, that the Supervisor of the Tax Col-
lector's office shall designate the Deputy Tax
Collector and field men; *provided*, further, that
all fees and costs of execution shall be remitted
to the general fund of the county; *provided*,
however, that one dollar of the execution fee and
mileage shall be paid to the field men as com-
pensation for services, plus two per cent of
the amount collected.

- C. Office Supplies 1,400.00

1,400.00

D. Office Supplies authorized 1958-1959	800.00
	800.00

TOTAL, ITEM 4\$ 10,805.00

Item 5. Superintendent of Education:

A. Salaries:

1. Superintendent of Education	\$ 726.00
2. Assistant	2,750.00
3. Attendance Teacher	330.00
4. Supervisor of School Lunch Program	330.00

4,136.00

B. Travel for Superintendent of Education	900.00
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900.00

C. Office Supplies	350.00
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350.00

D. Attendance Teacher—aid for needy children ..	200.00
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200.00

TOTAL, ITEM 5\$ 5,586.00

Item 6. Sheriff:

A. Salaries:

1. Sheriff	\$ 4,500.00
2. Deputy Sheriffs—9 @ \$2,904.00	26,136.00
<i>Provided</i> , one of the above Deputy Sheriffs shall be assigned to the Wattsville area.	
3. Deputy for day work	2,904.00
4. Deputy for night work	2,904.00
5. Jailer	2,904.00
6. Deputy Sheriffs for mills, 3 @ \$187.00	561.00

39,909.00

Provided, the Sheriff shall have the authority to name one Deputy as Chief Deputy, and such Deputy shall be placed under bond of \$2,500.00.

B. Travel:

1. Sheriff	2,400.00
2. Deputy Sheriffs—9 @ \$200.00 per month	21,600.00
3. Deputy Sheriffs—3 @ \$75.00 per month	2,700.00
4. Head Mill Deputy at Joanna, transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$50.00 per month	600.00
5. Head Mill Deputy at Lydia Mill, transporting prisoners and witnesses to jail and trial at Magistrates' Court—\$50.00 per month	600.00

27,900.00

C. Uniforms and overcoats—July 1959 to July 1960, 12 @ \$150.00 per year	1,800.00
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1,800.00

D. Office Supplies	800.00
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800.00

E. Radio System:

1. Maintenance	600.00
2. Supplies	500.00

1,100.00

F. Jail:

Water, lights, fuel, disinfectants, plumbing, returning prisoners taken into custody outside of county and outside of State, and dieting prisoners at eighty-five cents per day, <i>provided</i> , that \$1,500.00 of above amount shall be applied to 1958-59 expenditures	11,500.00
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11,500.00

TOTAL; ITEM 6\$ 83,009.00

Item 7. Judge of Probate:

A. Salaries:

1. Judge of Probate	\$ 4,500.00
2. Clerk	2,750.00
3. Extra Help	2,000.00
	9,250.00

Provided, that all fees collected in this office shall be turned over to the county treasurer. This does not include commissions received from the Tax Commission on inheritance taxes. Certified copies of marriage licenses shall be furnished free of charge, on request, to persons in the Armed Services of the United States, and to veterans of World War I and World War II, and veterans of the Korean Conflict, but no more than one copy shall be furnished without charge.

B. Travel for Probate Judge	900.00
	900.00
C. Office Supplies	1,000.00
	1,000.00

TOTAL, ITEM 7\$ 11,150.00

Item 8. Health Department:

County's part of salaries and travel allowance of county employees, office supplies and maintenance of building. It shall be the duty of the Health Department to handle the vital statistics of Laurens County	\$ 16,533.00
Polio vaccine	500.00
	17,033.00

Provided, that all unused funds in this item at the end of the fiscal year shall be retained for use during the following fiscal year.

TOTAL, ITEM 8, if so much be necessary ...\$ 17,033.00

Item 9. Magistrates:

A. Salaries:

1. Laurens	\$ 1,500.00
2. Clinton	1,210.00
3. Cross Hill	275.00
4. Waterloo	275.00
5. Gray Court	275.00
6. Youngs	275.00
7. Scuffletown	220.00
8. Sullivans	275.00
9. Jacks	220.00
10. Joanna	275.00
11. For stenographic help in holding inquests and preliminaries, to be expended upon the approval of the coroner and the sheriff, if so much be necessary	500.00

 5,300.00

Provided, however, that in addition to the above compensation, each Magistrate shall be paid the sum of ten dollars for each jury trial in which he or she presides and for each inquest.

B. Office Rent—Clinton	144.00
	144.00
C. Office Supplies	200.00
	200.00

D. For payment of jurors in criminal cases, and for miscellaneous expenses, including payments to magistrates for holding jury trials and inquests	1,000.00
	1,000.00

Provided, that \$450.00 of the above amount shall be applied to 1958-1959 expenditures.

Provided, that hereafter all jurors actually serving in trial of criminal cases in Magistrates' Courts shall be paid two dollars for each case so tried. The presiding magistrate shall issue to each juror so serving a pay certificate showing

the date of service which shall be paid upon presentation to the county treasurer.

TOTAL, ITEM 9	\$ 6,644.00
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Item 10. Agriculture:

A. Salaries:

1. County Agent	\$ 600.00
2. Secretary to County Agent	120.00
3. Stenographer for Home Demonstration Agent	360.00
4. Assistant County Agent	660.00
5. Second Assistant County Agent	600.00
6. Demonstration Materials—Home Demonstration Agent	120.00

	\$ 2,460.00
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B. Agriculture Building—pay for janitor, janitor supplies, plumbing and other minor repairs, fuel, water, lights, telephone and postage	1,000.00
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	1,000.00
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Provided, \$100.00 of the above amount shall be applied to 1958-1959 expenditures.

C. Club Work:

1. Boys' 4-H Club Work	100.00
2. Girls' 4-H Club Work	100.00
3. Negro 4-H Club Work	100.00
4. F.F.A.	175.00
5. Future Homemakers	175.00

	650.00
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D. Rent, lights and fuel—Negro County Agent ...	350.00
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	350.00
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E. Stenographer for Negro Farm Agent	600.00
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	600.00
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F. Rent:

1. AAA Office	600.00
2. FSA Office	270.00

	870.00
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G. Laurens Cooperative Breeding Association	400.00
	400.00
TOTAL, ITEM 10	\$ 6,330.00
Item 11. Department of Public Welfare:	
A. For maintenance, including office expense and mileage for Child Welfare Worker	\$ 4,575.00
	4,575.00
<i>Provided</i> , that the board members shall receive \$25.00 per month from this fund.	
B. Emergency Assistance	2,400.00
	2,400.00
C. Boarding Home Care	1,500.00
	1,500.00
D. Transportation and medicine for heart patients	300.00
	300.00
E. Aid for indigent aged	1,000.00
	1,000.00
TOTAL, ITEM 11	\$ 9,775.00
Item 12. County Service Officer	\$ 4,000.00
Secretary to County Service Officer	2,500.00
Office supplies and travel	750.00
TOTAL, ITEM 12	\$ 7,250.00
<i>Provided</i> , that the amount received from the State shall be deducted from the total appro- priation.	

Item 13. Domestic Relations Court:

A. Salaries:

1. Judge	\$ 3,600.00
2. Stenographer	1,320.00
3. Office Supplies	600.00
4. Machine for recording testimony	300.00

TOTAL, ITEM 13

\$ 5,820.00

Item 14. Laurens County Library

Provided, that the distribution and circulation
of library books in rural schools shall not be
curtailed.

Item 14-A. For purchase of Bookmobile

\$ 5,000.00

\$ 5,000.00

TOTAL, ITEM 14

\$ 20,000.00

Item 15. Coroner:

A. Salary:

1. Coroner

\$ 2,400.00

TOTAL, ITEM 15

\$ 2,400.00

Item 16. County Physician:

A. Salaries:

1. County Physician

\$ 825.00

2. Assistant County Physician

425.00

1,250.00

B. Medical Supplies

300.00

Provided, no medical supplies shall be purchased
except on written approval of the County Phy-
sician and shall not exceed \$25.00 per month.

300.00

TOTAL, ITEM 16

\$ 1,550.00

Item 17. Forest Fire Control:

A. Per diem and mileage for board members	\$ 200.00
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TOTAL, ITEM 17	\$ 200.00
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Item 18. Miscellaneous:

A. County Audit	\$ 2,500.00
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A-1. Balance on 1958-1959 Audit	174.96
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2,674.96

B. Secretary of Delegation—office expense and tele- phone	200.00
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200.00

C. Lunacy Examinations	650.00
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650.00

D. Contingent Fund	10,000.00
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10,000.00

E. Board of Registration (3 @ \$100.00) for meet- ings away from County Seat	300.00
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300.00

F. Premium on Bonds	825.00
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825.00

G. Salary supplement for stenographer to Probation Officer	600.00
Salary supplement for stenographer to Solicitor	600.00

1,200.00

H. Civil Defense	1,000.00
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1,000.00

TOTAL, ITEM 18	\$ 16,849.96
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Item 19. National Guard Units:

A. Laurens	\$ 600.00
	600.00
B. Clinton	600.00
	600.00
C. Heaters for Clinton Armory	500.00
	500.00

These funds not available if any of the above guard units are called into Federal Service, or if called out to police any integrated school in this State.

TOTAL, ITEM 19	\$ 1,700.00
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Item 20. Contributions:

A. Transportation and Medicine for cancer patients \$	1,800.00
	1,800.00
B. Soil Conservation Office	500.00
	500.00

TOTAL, ITEM 20	\$ 2,300.00
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GRAND TOTAL	\$475,408.31
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Estimated Revenues:

Fines, Licenses and Fees	\$ 50,985.00
Gasoline Tax	131,000.00
Alcoholic Liquor Tax	34,756.00
Beer and Wine Tax	10,207.00
Bank Tax	2,998.00
Bond Premium and Interest	2,000.00
County's part of Income Tax	64,934.00
Delinquent Taxes	10,000.00
Delinquent Taxes, Fees	6,000.00
Insurance License Fees	19,000.00
Treasurer's Fees (recordings, etc.)	12,000.00

National Forestry Funds	9,050.00
Miscellaneous	18,000.00
Sheriff's Fees	1,000.00
Birth Certificate Funds	1,500.00
Service Officer	5,100.00
NYA Building Rent	1,000.00
Total, Estimated Revenues	\$379,530.00

Total Amount to be Raised by Taxation\$ 95,878.31

SECTION 4. The county sheriff is hereby authorized and required to make a monthly report to the Laurens County Treasurer and at the same time turn over to the county treasurer all fines, fees and mileage, except all fees collected for the service of magistrates' papers. The report shall be made on or before the tenth day of each month.

SECTION 5. The county supervisor is hereby authorized and required to make a quarterly report to the Laurens County Delegation in the General Assembly, giving an itemized and verified statement of all expenditures pertaining to his office which have been paid by him, and also an itemized statement of all debts and obligations incurred for which Laurens County is liable. The report shall be made on or before April fifteenth, July fifteenth, October fifteenth and January fifteenth of each year.

SECTION 6. The supervisor and county commissioners are hereby required to keep a separate account covering the various items of the supply act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, the officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

SECTION 7. The county treasurer is authorized to pay claims for school teachers' salaries and for other school purposes from the general fund of the county, all such amounts to be refunded to the general fund when State aid and current school taxes are received in the treasurer's office.

SECTION 8. The official bond for the County Supervisor of Laurens County shall be ten thousand dollars and no claim against Laurens County shall be paid until it has had the approval in writing of the county supervisor and the two county commissioners. All expenditures in excess of the appropriations herein made, and not duly authorized by law, made by the county supervisor and board of county commissioners for Laurens County, shall not constitute a valid indebtedness against Laurens County and all such contracts shall be null and void. The official bond of the county supervisor and county commissioners shall be responsible for all unauthorized expenditures and contracts made by such officers on behalf of Laurens County. The supervisor is hereby required to notify the sheriff immediately upon the escape of any convict from the county chain gang, and the sheriff shall have his actual expenses for the capture of such escaped convict, when necessary to go out of the county. All claims must be signed by the supervisor and the two county commissioners.

SECTION 9. The board of county commissioners is hereby authorized and directed to divide the expenditures of such appropriations into monthly payments and monthly expenditures shall not exceed one-twelfth of the annual appropriation.

SECTION 10. In the event of a vacancy or a new recommendation, there shall be appointed and commissioned by the Governor, upon the recommendation of the sheriff and the head official of the mills herein named, three special deputies to have the usual authority of peace officers, and who shall be assigned to duty as follows: two at Joanna Mill and one at Lydia Mill, as the sheriff may designate, and shall be paid by the Treasurer of Laurens County the sum of one hundred eighty-seven dollars each per year, and the two mills may supplement the salaries if they so desire, such appointments to be made for a period of two years; *provided*, however, that the terms of such appointments shall not extend beyond the term of the sheriff recommending the appointments. *Provided*, further, same may be revoked by the Governor upon the recommendation of the sheriff at any time. Such deputies must be sworn in office before the Clerk of Court of Laurens County, and shall have the usual bond in the sum of one thousand dollars, conditioned upon the faithful performance of duty. *Provided*, that all pay and allowances for mill deputies provided by this act shall be paid by the treasurer only when approved by the Sheriff of Laurens County.

SECTION 11. The Board of County Commissioners of Laurens County is hereby authorized and required to advertise for competitive bids for the purchase of all supplies used by Laurens County, including the county home, and shall accept the lowest responsible bid for the same and any purchase not made in conformity thereto shall not be a debt against the county. *Provided*, however, the board of commissioners shall purchase any such supplies from the State Purchasing Agent if such purchases can be made at a cost less than the lowest bid herein referred to. Supplies herein mentioned include road materials, office equipment, and other equipment and machinery of a value of more than one hundred dollars, but does not include purchase of parts or personal service for repairs of equipment where no competitive part or service is available; *provided*, that the board shall have the right to reject any bid which does not meet its requirements as to quality, specifications or description. *Provided*, further, that the term "board of commissioners" shall include the supervisor and the two county commissioners.

SECTION 12. The salaries herein provided for the various officers of Laurens County, except magistrates, shall be in lieu of all fees and costs, of whatsoever nature or description, collectible by them for services rendered on or after April 1, 1935. All fees or costs collected by any of such officers under the law providing the same for services hereafter rendered shall be turned over by such officer to the County Treasurer of Laurens County monthly, together with a statement under oath, showing the amount collected during the month immediately preceding such statement. All county officers are hereby forbidden to deposit any monies belonging to the county with his or her personal accounts.

SECTION 13. The official bond required of the Sheriff of Laurens County shall be five thousand dollars for which amount he shall give bond for the faithful performance of his duties, the premium of which shall be paid by the county; *provided*, that each of his deputies is required to give surety bond, conditioned upon the faithful performance of his duties, in the sum of one thousand dollars, the premium of the bonds of such deputies to be paid by Laurens County.

SECTION 14. There is hereby levied upon all the taxable property of Laurens County one mill, which shall be known as the hospital fund. Out of this fund there shall first be paid the insurance premium of the fire insurance policy covering the Laurens County Hospital

and the balance thereof shall be expended for the care and support of the needy or charity patients of the County of Laurens, and it shall be the duty of the county board of commissioners to pass upon all claims approved by the operating board of trustees of the hospital. In addition there is hereby appropriated from the general fund of Laurens County the sum of twelve thousand dollars for charity patients.

Provided, the board of trustees of Laurens County Hospital are hereby authorized to borrow an amount not to exceed twenty-five thousand dollars, if so much be necessary, for the purpose of matching Hill-Burton Funds, total of which shall be used for Hospital construction. Any such loan shall be evidenced by a note or notes to be signed by the chairman of the Board of Trustees of the Laurens County Hospital under such terms and conditions as may be agreed upon by the board and the lender.

SECTION 15. Provisions made herein for additional clerical help in the several offices shall not be used to supplement salaries of regular employees.

SECTION 16. The county treasurer is hereby authorized, empowered and directed to transfer from the county sinking fund to the general fund of the county the funds now in and hereafter accruing to the account for past indebtedness.

SECTION 17. The auditor shall levy and the treasurer shall collect the tax on all of the taxable property of Laurens School District No. 55 and Laurens School District No. 56, not to exceed thirty-five mills. *Provided*, that in School District No. 56 the above thirty-five mill levy shall include four mills for the payment of the bond levy, and one mill which shall be applied to the existing deficit. *Provided*, further, that in School District No. 55 the above thirty-five mill levy shall include one mill which shall be applied to the existing deficit. *Provided*, further, that in the event any money shall remain in the current operating fund of School District No. 55 or School District No. 56, at the end of the fiscal year, all such money shall be applied to the deficit of the respective districts. The treasurer shall credit the amounts collected in the respective districts to the account of the districts, and the funds shall be expended under the supervision and direction of the trustees of such school districts for general school purposes.

Provided, further, that the trustees of either School District No. 55 or School District No. 56 shall petition the County Board of Education of Laurens County for an election on the question of raising the levy for school purposes whenever a greater levy than thirty-five mills is needed to meet the budgets of the school districts.

SECTION 18. Any funds received by the treasurer by reason of the terms of the Appropriations Act for 1959 for the benefit of the schools of Laurens County shall be credited to the districts as provided by law and shall be expended by the trustees of the districts for general school purposes.

SECTION 19. All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. This act shall take effect upon approval of the Governor.

Approved the 28th day of May, 1959.

(R418, H1377)

No. 465

An Act To Make Appropriation For The Operating Expenses Of Lee County For The Fiscal Year 1959-1960, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Out of the available funds now on hand, and to be received there is hereby appropriated for county purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, the following :

Item 1. Roads, Bridges and Chaingang :

Salary, Superintendent of Roads	\$ 4,020.00
Salary, Bridge Superintendent	3,000.00
Salary, (3) employees @ \$2,700.00	8,100.00
Salary, (1) employee	2,400.00
Salary, (1) employee	2,260.00
Salary, (1) employee	1,680.00
Clothing and Bedding for prisoners	2,500.00
Gasoline, Oil, Grease, Tires & Tubes	6,500.00
Lumber and Pipe	3,000.00

Creosote for lumber	600.00
Coal, Lights, Medicine and Doctors' Bills ...	1,200.00
Repairs and other Miscellaneous Items	8,240.00
Dieting Prisoners and Guards' meals	7,500.00
Total Item 1	\$ 51,000.00
Item 2. Administrative:	
Auditor (to make total salary \$4,800.00) ...	\$ 1,500.00
Treasurer (to make total salary \$4,800.00) ...	1,500.00
Clerk of Court	2,360.00
Attorney	600.00
Coroner	775.00
Chairman, County Board of Commissioners ..	1,100.00
County Commissioners, four @ \$840.00 each..	3,360.00
Clerk, Auditor's Office	2,400.00
Clerk, Treasurer's Office	2,400.00
Clerk, County Board of Commissioners	3,165.00
Assistant Clerk, County Board of Commission- ers	948.00
Clerk, Clerk of Court's office	2,400.00
Total Item 2	\$ 22,508.00
Item 3. Judicial:	
Master	\$ 1,500.00
Judge of Probate	720.00
Magistrate, Bishopville	1,745.00
Magistrate, Lynchburg	1,035.00
Magistrate, Lucknow	600.00
Magistrate, St. Charles	600.00
Magistrate, Spring Hill	600.00
Magistrate, Ashwood	600.00
Magistrate, Cypress	600.00
Magistrate, Ionia	600.00
Magistrate, Stokes' Bridge	600.00
Supplement to Secretary of Judge of Third Ju- dicial Circuit	300.00
Jurors, Bailiffs and Witnesses, including per diem of Jurors and Bailiffs at \$4.00 and Wit- nesses at \$1.00 per day	2,000.00
Total Item 3	\$ 11,500.00

Item 4. Law Enforcement:

Sheriff, Salary	\$ 4,260.00
Sheriff, Traveling Expense	1,200.00
Clerk, Sheriff's Office	2,400.00
Deputy Sheriff, Traveling Expense	1,200.00
Deputy Sheriff	3,240.00
Rural Police (4) at \$2,760.00 each per annum and (1) for six months from July 1, 1959 through December 31, 1959, at \$1,380.00	12,420.00
Rural Police (4), Traveling Expenses at \$110- .00 per month each and 1 for six months from July 1, 1959, through December 31, 1959, at \$110.00 per month	5,940.00
Uniforms for 4 Rural Police at \$150.00 each and for 1 Rural Police at \$75.00	675.00
Chief of Rural Police	3,060.00
Chief of Rural Police, Travel	1,440.00
Jailor	1,740.00
Miscellaneous Jail Expense	1,000.00
Dieting Jail Prisoners	2,400.00
Transporting prisoners outside county at seven cents per mile and five dollars per day outside the state upon verified claims	600.00

Total Item 4

\$ 41,575.00

Item 5. Social Welfare:

General Relief	\$ 3,500.00
Old Soldiers and their widows residing in Lee County	60.00
Lee County Health Department	7,500.00
Public Welfare Department (matching fund for expenses)	800.00

Total Item 5

\$ 11,860.00

Item 6. Courthouse and Public Buildings:

Workmen's Compensation Insurance	\$ 1,000.00
Water, Fuel, Lights, Insurance and Bonds ...	6,000.00
Janitor, Courthouse	1,860.00
Janitress, Courthouse (appointed by Janitor) ..	675.00

Total Item 6

\$ 9,535.00

Item 7. Miscellaneous:

Contingent Fund, to be disbursed only on written approval of the County Legislative Delegation	\$ 10,000.00
Post Mortems and Lunacy	700.00
Board of Tax Assessors and Tax Appeals ...	1,000.00
Books, etc., Clerk of Court's Office	1,000.00
Printing, Postage and Stationery	1,200.00
American Legion Hut and Grounds, Bishopville	100.00
American Legion Hut and Grounds, Lynchburg	100.00
V. F. W. Hut and Grounds, Bishopville	100.00
4-H Boys' Club Work	100.00
4-H Girls' Club Work	100.00
Additional Salary, Home Demonstration Agent	360.00
Additional Salary, County Agent	840.00
Additional Salary, Assistant County Agent ...	600.00
Home Demonstration Agent and County Agent Demonstration Supplies	125.00
Coroner's Jurors @ \$2.00 per day	200.00
County Payment Retirement Fund	1,500.00
Lee County Public Library Commission for books	1,000.00
Lee County Public Library Commission for miscellaneous expenses	500.00
Salary, County Librarian	2,040.00
Salary, County Bookmobile Library (\$60.00 per month)	720.00
Gas, oil, repairs, etc., library truck	300.00
Social Security	2,500.00
Co. L 118th Infantry S. C. National Guard for extra supplies and expenses	1,500.00
Vital Statistics	300.00
Rent, Cotton Platform @ \$65.00 per month...	780.00
Total Item 7	\$ 27,665.00

Item 8. Traveling Expenses:

Chairman, County Board	\$ 630.00
County Commissioners, four @ \$420.00 each..	1,680.00
Coroner	240.00

Auditor	360.00
Treasurer	360.00
Clerk of Court	240.00
Total Item 8	\$ 3,510.00
GRAND TOTAL	\$179,153.00
Less Estimated Indirect Revenue:	
Commutation Road Tax	\$ 2,600.00
Gasoline Tax	55,000.00
Income Tax	26,000.00
Beer, Wine and Whiskey Tax	20,000.00
Fines and Costs	26,500.00
Insurance Fees	6,000.00
Other Sources	12,000.00
Total	\$148,100.00
Amount to be raised by Taxation	\$ 31,053.00

SECTION 2. The Auditor and Treasurer of Lee County are hereby authorized and directed to levy and collect upon all the taxable property of Lee County a sufficient number of mills, not to exceed eight mills, if so much be necessary, to raise the amount stated in this supply act to be raised by taxation.

SECTION 3. The funds appropriated for roads, bridges and chain gang shall be spent and used in such a way as to cover the entire period of this act, and as near equally per month as possible, and the county board of commissioners is hereby forbidden to contract for or spend in excess of the appropriation in any way or make indebtedness therefor which cannot and is not paid for on the tenth of the next month after the purchase or expenditure is made. Any violation of this section shall subject the member or members of the commission to immediate removal by the Governor upon the written recommendation of the entire Lee County Legislative Delegation and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and be null and void.

SECTION 4. The funds appropriated for each and every purpose shall be used for said purpose only, and no part thereof shall be di-

verted from any one appropriation to another without the written consent of the Lee County Legislative Delegation.

SECTION 5. The county board of commissioners is hereby authorized, empowered and directed to keep all county records, books and vouchers in the board's office in the county courthouse and to keep such office open each week day. They shall at all times keep an exact record of all sums paid on each and every appropriation of the county.

SECTION 6. The County Board of Commissioners of Lee County is hereby authorized, required and directed to buy the various provisions, supplies, etc., except perishables, necessary for the county chain gang at lowest possible prices. Fresh meats and vegetables shall be bought from local merchants on an impartial rotating basis, with no regard to factional affiliation. Gas, oil and grease shall be purchased from the five major distributors in Lee County on a monthly rotating basis. The Superintendent of Roads shall be scrupulously fair in the division of this business.

SECTION 7. All new machinery, automotive and other equipment for the county and all political subdivisions of the county shall be purchased only by the county board of commissioners with the approval of the Lee County Legislative Delegation.

SECTION 8. The Superintendent of Roads shall use every care to keep the cost of operation of the chain gang as low as possible and he shall cause the prisoners and guards to keep all machinery and equipment properly greased and he shall cause the prisoners and guards to take extra care in operating the machinery and equipment. It shall be unlawful for any person to use gas or oil from county supplies in any vehicle other than county-owned. This shall apply to county commissioners, sheriff's department, rural police, county officials, or any other citizen.

SECTION 9. The County Board of Commissioners of Lee County shall be the sole purchasing agent for Lee County and any and all officers or employees of Lee County who may need any books, provisions, supplies or other material or thing for their offices or departments shall request the purchase of same by written request to the County Board of Commissioners of Lee County, which commission, if it deems the purchase necessary and strictly within the ap-

propriation for such office or department, shall issue its regular requisition blank, numbered serially, in triplicate, for said purchase, deliver one copy to the officer or department requesting the purchase, deliver one copy to the seller to be presented along with the seller's itemized bill for such purchase at the time payment therefor is made. No officer or employee of Lee County shall make any purchase except in the manner herein provided and any purchase made or contracted for except by virtue of a proper requisition blank shall not be a debt against the county, but shall be the individual debt of the person making such a purchase. A copy of this section shall be mailed by the county board of commissioners to every officer or employee of Lee County and to such other concerns and people it may deem proper.

SECTION 10. In order to prevent lost motion, duplication of effort and lack of definite responsibility, the chairman of the county board of commissioners is required to devote such part of his time as the county board of commissioners may determine to be necessary. He shall execute the orders and policies of the commission, but no authority is denied the other members of the commission, nor is the chairman vested with greater power than his fellow members, but for convenience and better business methods, concentration of execution is delegated to the chairman rather than the entire commission. *Provided*, that in the case of incapacity of the chairman his duties shall, with the consent of the entire Lee County Legislative Delegation, devolve upon the other members of the county board until a chairman is again chosen.

SECTION 11. The county board of commissioners shall have full supervision of the county chain gang and there shall be paid out of the funds appropriated for dieting county gang prisoners, upon itemized statements properly verified by seller and approved by the board, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners. *Provided*, however, such cost shall not exceed the sum of eighty cents per day for each prisoner confined on the chain gang, and the superintendent of roads shall file a monthly report showing an itemized list of all prisoners confined on the chain gang, the exact number of days each prisoner spent on the chain gang that month and the total maximum authorized cost based on the number of prisoners at the rate of eighty cents per day. No bill in excess of the maximum authorized cost shall be paid,

except with the written approval of the Lee County Legislative Delegation.

SECTION 12. The county board of commissioners shall pay out of the appropriation for extra food for gang employees, upon itemized statement properly verified by seller and approved by said board, the actual cost of extra food for meals of gang employees while on duty; *provided*, however, such cost shall not exceed the sum of fifteen dollars per month for each employee.

SECTION 13. The Board of County Commissioners of Lee County is hereby authorized to borrow, upon the written approval of the Lee County Legislative Delegation, not exceeding ninety per cent of the amount to be raised by taxation by the above levy, on note or notes to be executed by the chairman of the board and the County Treasurer of Lee County, which notes when so executed shall be a first lien on all taxes to be raised by said levy.

SECTION 14. The provisions of Section 20-32, Code of Laws of South Carolina, 1952, and acts amendatory thereto, so far as the same shall affect the payment of fifty cents on each marriage license fee by the Judge of Probate of Lee County unto the Treasurer of Lee County, are hereby repealed for this fiscal year only and the Probate Judge of Lee County is hereby authorized and directed to retain the full marriage license fee for each marriage license issued by him.

SECTION 15. Each magistrate is hereby required to account to and pay the county treasurer on or before the tenth day of each month for all fines and monies collected by him as magistrate during the preceding month and file a written report with the county board of commissioners, showing all criminal cases brought before him and their disposition, and no magistrate shall be paid his monthly salary until such monthly accounting and report is made.

SECTION 16. The sheriff shall have full supervision of the county jail and there shall be paid out of the funds appropriated for dieting jail prisoners, upon itemized statements properly verified by seller and approved by the sheriff, the actual cost of food, fuel, water and lights necessary for the proper dieting of prisoners; *provided*, such food cost shall not exceed the sum of eighty cents per day for each prisoner confined in the jail, and the jailor shall file a monthly written report showing an itemized list of all prisoners confined in the

jail and the exact number of days each prisoner spent in the jail that month, and the total maximum authorized cost based on the number of prisoner days at the rate of eighty cents per day. No bill in excess of such maximum authorized cost shall be paid except with the written approval of the Lee County Legislative Delegation.

SECTION 17. The county board of commissioners shall also pay out of funds appropriated the actual cost of all necessary clothing, fuel, bedding and other camp equipment, and the superintendent of roads shall have a trusty, or trusties, prepare and cook the food, keep the camp and stockade clean and well heated, and the bedding and clothing in good order.

SECTION 18. The county board of commissioners is hereby directed at least once each month to have a suitable detail of gang prisoners thoroughly clean the county courthouse and grounds and the Lee County Memorial Hospital grounds.

SECTION 19. The amount herein appropriated shall be spent over the entire period of this act, as near equally per month as possible, and any officer or employee who shall contract for or spend in excess of the appropriation for his department shall be subject to removal by the Governor, upon the written recommendation of the entire legislative delegation, and any such purchase or expenditure in excess of the sum so appropriated shall not be an obligation of Lee County and is null and void.

SECTION 20. The amounts listed herein for the payment of each of the clerks in the office of county commissioners, sheriff, auditor and treasurer are for the clerks of such offices, on March first, of this fiscal year; and in case a new clerk is placed in any of such offices, his or her salary shall be approved by the Lee County Legislative Delegation.

SECTION 21. The amounts herein listed for additional salary—County Agent, and additional salary—Assistant County Agent, are for the present County Agent and the present Assistant County Agent, and in case a new person is placed in either position, the additional salary shall not be paid until and unless the salary be first approved by the Lee County Legislative Delegation.

SECTION 22. All taxes and indirect revenue collected for ordinary county purposes during the fiscal year 1958-1959, in excess of the

amount necessary to pay appropriations for the fiscal year 1958-1959, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund, and any balance remaining on hand on July 1, 1959, shall be used to meet appropriations for the fiscal year 1959-1960, and all taxes and indirect revenues collected for ordinary county purposes during the fiscal year 1959-1960, in excess of the amount necessary to pay appropriations for the fiscal year 1959-1960, shall be disbursed by the County Board of Commissioners of Lee County upon the written authorization of the Lee County Legislative Delegation, on county warrants, and the county treasurer is hereby authorized to honor such warrants and charge the same to ordinary county fund.

SECTION 23. Any and all unused balances in any and all accounts for the fiscal year 1958-1959 shall be automatically transferred to the contingent fund account for the fiscal year 1959-1960.

SECTION 24. The County Board of Commissioners of Lee County is hereby authorized to refinance any existing indebtedness of Lee County evidenced by notes or bond issues, where a material saving in interest can be had, and any note or notes given for said purpose shall be executed by the chairman of the board and the Treasurer of Lee County, and when so executed shall be a first lien on all taxes levied or to be levied for the purpose of the original note or bond issue so refinanced.

SECTION 25. The County Board of Commissioners of Lee County is hereby authorized and directed to terminate, with or without notice, the appointment of any cotton weigher appointed by the board in the event such cotton weigher fails to properly perform his duties as determined by the Lee County Marketing Commission by majority vote.

SECTION 26. The County Board of Commissioners of Lee County is hereby authorized to use, as they deem necessary, general relief or general assistance funds for general relief of indigent citizens, but care shall be used that only absolute charity patients receive relief funds.

SECTION 27. The County Board of Commissioners of Lee County is hereby authorized and directed to allow the use, from month to

month, of such portion of the unused open land on the county farm as the county board of commissioners may deem necessary for an airport at Bishopville, and such commission shall supervise the use of the airport and the construction of any hangar or hangars thereon.

SECTION 28. The Lee County Legislative Delegation is hereby authorized to have an audit made, covering the fiscal year 1958-1959, of any and all offices and departments of Lee County and shall pay for same out of the County Contingent Fund.

SECTION 29. Every county officer and employee is prohibited from making any purchase for Lee County from any officer or employee of Lee County, and no purchase so made shall be an obligation of Lee County, and no county officer or employee shall use any county property for his own use, but only for necessary official use.

SECTION 30. The county treasurer is directed, upon the written authorization of the Lee County Legislative Delegation, to set aside and transfer as much of the county surplus funds as in the opinion of the Lee County Legislative Delegation may be proper for the construction of any public improvements designated by the delegation, and as much of such surplus funds as in the opinion of the Lee County Legislative Delegation, by written order, may be needed for ordinary county purposes.

SECTION 31. The various officers and employees of the county are hereby directed to file with the Chairman of the Lee County Legislative Delegation and the Chairman of the County Board of Commissioners of Lee County duplicate quarterly reports showing the status of such office or department and such other information as the county board or the Lee County Legislative Delegation may request. If any officer or employee fails to file such quarterly report within fifteen days after the end of each quarter, the county board of commissioners is hereby directed to withhold payment of salary of such officer or employee until such officer or employee files said quarterly report, as provided herein.

SECTION 32. The words "Lee County Legislative Delegation" as used in this act mean the Senator and the member of the House of Representatives from Lee County, unless the context clearly shows otherwise.

SECTION 33. No office equipment, furniture, fixtures, nor any machinery, tractors, road patrols, trucks, automobiles, or any other

heavy machinery, shall be purchased out of county funds by any officer or employee of Lee County without the written approval of the Lee County Legislative Delegation.

SECTION 34. The Auditor of Lee County is hereby authorized and directed to levy and the Treasurer of Lee County is hereby authorized and directed to collect eight mills additional upon all of the taxable property of Lee County, to assist in the operation of the Lee County Memorial Hospital. Such funds are to be credited to the Lee County Memorial Hospital account, and are to be transferred to the account of the Treasurer of Lee County Memorial Hospital Commission at the rate of three thousand dollars per month.

SECTION 35. Every officer and employee of every board, commission or department of Lee County and its school system shall pay at the earliest possible date all past due taxes due Lee County, and the Sheriff of Lee County is hereby directed to mail to the Lee County Legislative Delegation and the County Board of Commissioners immediately after July 1, 1959, a statement of all past due taxes of every such officer or employee.

SECTION 36. Since provision is made herein for the payment of the cost of rural police system for this fiscal year, the Auditor of Lee County is hereby authorized and directed not to place upon the taxable property of Lee County any levy contemplated by the special act relating to Rural Police System for Lee County. It is further directed that the funds provided for uniforms for rural police shall be disbursed by the county treasurer only upon properly receipted invoices showing that the individual policeman has actually purchased the equipment for which he is being reimbursed.

SECTION 37. All other provisions of law to the contrary notwithstanding the millage levied by the auditor and treasurer for school purposes in Lee County shall not exceed forty-three mills. Any increase in state funds for county school purposes resulting from legislation passed at the 1959 session of the General Assembly or thereafter shall operate to reduce the county levy for school purposes by a corresponding amount.

SECTION 38. All acts or parts of acts inconsistent herewith are repealed.

SECTION 39. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R103, S122)

No. 466**An Act To Transfer Fifty Thousand Dollars From The General Fund Of Lexington County To The Miscellaneous And Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County to transfer funds.—There is hereby transferred fifty thousand dollars from the General Fund of Lexington County to the Miscellaneous and Contingent Fund of Lexington County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R403, H1663)

No. 467**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes In Lexington County For The Fiscal Year Beginning July 1, 1959, And To Provide For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied from July 1, 1959, through June 30, 1960, a tax of seven mills on all taxable property in Lexington County for county purposes for said year which, together with all further sums available for said purposes, shall be used for the payment of the items hereinafter set forth; *provided*, that all salaries herein appropriated shall be paid in monthly installments, with the exception of the Welfare Board, and the total of such items, other than salaries, shall be expended only as so much be necessary.

Item 1. Administrative Department:

A. County Auditor:

1. County Auditor (county's part) salary	\$ 2,520.00
2. Deputy Clerk to County Auditor	3,220.00
3. First Clerk to County Auditor	2,620.00
4. Second Clerk to County Auditor	2,420.00
5. Part-time assistance	1,800.00

6. Travel, County Auditor	500.00
<i>Provided</i> , that the Auditor go to each town in the county for the purpose of taking tax assessments.	
B. Clerk of Court:	
1. Clerk of Court, salary	5,820.00
2. Deputy Clerk of Court	3,620.00
3. First Clerk to Clerk of Court	2,570.00
4. Second Clerk to Clerk of Court	2,100.00
5. Third Clerk to Clerk of Court	1,900.00
6. Part-time clerical assistance	1,000.00
<i>Provided</i> , that the balance remaining in Item 6 from prior appropriations shall be carried forward to the 1959-1960 fiscal year and that that balance, plus the amount herein provided, shall be used for part-time clerical assistance.	
C. County Treasurer:	
1. County Treasurer (county's part), salary	2,520.00
2. Deputy County Treasurer	3,220.00
3. First Clerk to County Treasurer (tax)	2,720.00
4. Second Clerk to County Treasurer (fee)	2,720.00
5. Part-time clerical assistance	1,000.00
D. Board of Commissioners:	
1. Commissioners' salaries, four at \$1,350.00	5,400.00
2. Clerk to County Commissioners, salary	4,400.00
3. Assistant Clerk to County Commissioners	2,000.00
4. Travel, County Commissioners, three at \$800.00, Chairman at \$1,100.00	3,500.00
Item 2. Judicial Department:	
A. Jurors, witnesses and bailiffs	\$ 13,000.00
<i>Provided</i> , that all court attaches, petit jurors and grand jurors of the court of general sessions and the court of common pleas shall be paid at the rate of six dollars per diem. <i>Provided</i> , further, that the court crier and chief bailiff shall be paid at the rate of ten dollars per diem.	
B. Probate Court:	
1. Probate Judge, salary	5,100.00
2. Clerk to Probate Judge, salary	2,820.00
3. Part-time clerical assistance	1,800.00

C. Juvenile-Domestic Relations Court:

1. Judge's salary	7,100.00
2. Probation Officer	3,700.00
3. Clerk-Stenographer	2,600.00
4. Travel for probation officer	1,200.00

D. Salaries of Magistrates:

District No. 1	2,650.00
District No. 2	1,750.00
District No. 3	1,850.00
District No. 4	2,050.00
District No. 5	2,250.00
District No. 6	2,250.00

Provided, that during week days, each magistrate shall have regular office hours of a minimum of two hours per day and shall give public notice of such hours.

E. Salaries of Magistrates' Constables:

District No. 1	2,650.00
District No. 2, Salary \$3,000.00, Travel \$600.00	3,600.00
District No. 3	3,050.00
District No. 4	2,350.00
District No. 5	3,050.00
District No. 6	3,050.00

Provided, that the Constable of District 2 shall be employed full time and be equipped with a car radio and shall police and patrol said district, including the area within the limits of the Towns of Chapin and Irmo, under the direction and control of the Sheriff's office when not otherwise engaged in official business attendant to the office of Magistrate.

Provided, further, that all Magistrates' Constables, to be qualified to receive the salaries herein set forth, shall be qualified graduates of the South Carolina Law Enforcement Division School for Officers and all Constables subsequently appointed must within one year after their appointment become graduates of the said school for officers.

Provided, further, that Constables of Districts 1, 3, 4, 5 and 6, when not otherwise engaged in official business attendant to the office of Magistrate, shall perform a minimum of four hours per day of patrol and police duties in the rural sections of Lexington County under the direction and control of the Sheriff's office.

F. Coroner:

Coroner's Salary	1,220.00
Travel	300.00
Post Mortems, inquests and lunacies	1,000.00

Item 3. Law Enforcement:

A. Office of Sheriff:

1. Salary	\$ 5,820.00
2. Travel Expense	1,200.00

B. Deputy Sheriffs:

1. Salary of Deputy Sheriffs, five at \$3,700.00 each per annum and one chief deputy at \$3,900.00 ..	22,400.00
2. Travel Expense, six at \$1,200.00 per annum ..	7,200.00
3. Purchase of gasoline and oil, uniforms, and maintenance of radio equipment	8,000.00

Provided, that the chief deputy so designated by the Sheriff shall have full authority to act for and in behalf of the Sheriff in the absence of the Sheriff.

Provided, that the sums herein appropriated for travel expenses for the Sheriff and his Deputies shall be the only sum paid to the Sheriff and his Deputies for travel expense in criminal matters and they shall not receive extra pay for the transferring or transporting of prisoners and insane persons, the same being in the regular line of duty.

Provided, further, to be eligible to receive the salaries herein provided all Deputy Sheriffs must within one year after his or their appointment be graduated from the said Law Enforcement School for Officers.

C. Jail:	
1. Jail Expenses	12,000.00
2. Jailor	2,600.00
3. Jailor	2,000.00
D. Office of Tax Collector:	
1. Salary of Deputy Tax Collector	2,620.00
2. Clerical Assistance	1,300.00
Item 4. Public Works, Roads and Bridges:	
A. District Salaries of employees and maintenance expenses	\$142,500.00
B. Depreciation Reserve for purchase of new machinery	20,000.00
<i>Provided</i> , that Item A shall be expended only upon approval of a majority of the Board of Commissioners.	
<i>Provided</i> , further, that Item B shall be expended only for needed machinery and only upon approval of a majority of the County Board of Commissioners and any balance remaining shall be carried forward to the next fiscal year.	
<i>Provided</i> , further, that a monthly report shall be rendered and filed by the clerk of the County Board of Commissioners to each Commissioner and to the Lexington County Legislative Delegation in the General Assembly.	
<i>Provided</i> , further, that the Commissioners shall not expend or obligate to expend more than one-half of the amounts herein appropriated prior to January 1, 1960.	
Item 5. Social Welfare:	
A. Vital Statistics	\$ 700.00
B. Supplemental salary for members of Lexington County Public Welfare Board to be paid semi-annually	600.00
<i>Provided</i> , that the members of the Board shall be paid semiannually.	
C. Approved Emergency and Charity Relief	35,000.00
<i>Provided</i> , that claims for the care of medically indigent persons by eleemosynary institutions be	

equitably discharged from the amount above appropriated.

D. Lexington County Health Department 24,800.00

Item 6. Courthouse and Offices:

A. Insurance	\$ 1,600.00
B. Water, lights, fuel, repairs to public buildings ..	25,000.00
C. Superintendent of Courthouse building and grounds	2,420.00
D. Janitor of courthouse	2,250.00
E. Premium, Burglary Theft Insurance	150.00
F. Premium on bonds for county officials	1,350.00
G. Workmen's Compensation Insurance (not to be spent if paid for by State)	2,800.00
H. Printing, stamps and stationery for county offices	15,000.00
I. Janitor of County Health Centers	1,900.00
1. Travel to Health Centers, to be paid monthly ..	480.00

Item 7. County Board of Education:

There shall be paid through the office of the County Superintendent of Education the following:

A. Salary and travel for County Board of Education	\$ 750.00
B. Supplement salary, Superintendent of Education ..	1,695.00
1. Travel for Superintendent of Education	200.00
C. Clerk to Superintendent of Education	2,920.00
D. Supplement Salary and travel, attendance teacher ..	1,000.00
E. Circulating Library Fund	22,000.00
F. Publication of county educational directory ..	700.00

Provided, that the funds appropriated under Item 7 shall be approved and disbursed by the County Board of Education.

Item 8. Miscellaneous:

A. Miscellaneous Contingent	\$ 40,000.00
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Provided, that any claims or items payable from the miscellaneous contingent fund herein appropriated shall be approved by a majority of the county legislative delegation, including the Senator, and upon such approval the Board of Com-

missioners and the Clerk of the Board are hereby authorized to issue vouchers for same.

Provided, however, that a sum not exceeding eight thousand dollars in the aggregate amount of the appropriation herein made may be expended upon the approval of a majority of the members of the Board of County Commissioners; *provided*, further, that from this amount may be paid the actual expenses incurred for the apprehension and return of escaped prisoners from Lexington County, or any other suspect of a criminal nature from without the boundaries of the State of South Carolina, which return has been approved by the Board of County Commissioners.

B. Board of Equalization	2,500.00
<i>Provided</i> , that this shall be expended only upon approval of a majority of the legislative delegation.	
C. Board of Registration	2,400.00
<i>Provided</i> , that not more than one-fourth of amount appropriated shall be expended without approval of a majority of the legislative delegation.	
D. 4-H Boys' Club	100.00
E. 4-H Girls' Club	100.00
F. Future Farmers of America (White Chapter)	250.00
G. Women's Home Demonstration Camp	75.00
H. Demonstration supplies for Home Agent	100.00
I. Clerk to Demonstration Agent	500.00
J. Clerk to County Agent	385.00
K. Supplemental travel to County Agent	300.00
L. Travel to Clerk of County Agent	200.00
M. Lexington County T. B. Association	1,000.00
N. Secretary to County Service Officer	2,320.00
O. Batesburg-Leesville National Guard Unit	800.00
P. West Columbia National Guard, two units at \$800.00	1,600.00
Q. Lexington National Guard Unit	800.00

R. Lexington County Supervisors, Lexington Soil Conservation District, Lexington County	500.00
S. Payment on caretaker's home at Lakeside Rest Home	1,000.00
T. County Breeders Association, artificial insemination	1,000.00
<i>Provided</i> , that the program become self supporting without further costs to Lexington County or further responsibility to Lexington County employees.	
U. American Legion Junior Baseball Program . . .	500.00
V. West Columbia-Cayce, Lexington and Batesburg-Leesville Chamber of Commerce @ \$750.00 each	2,250.00
Item 9. County Attorney	\$ 1,296.00
<i>Provided</i> , that the county attorney shall be elected by a majority vote of the County Board of Commissioners of Lexington County and he shall be paid a retainer's fee of one hundred eight dollars per month out of the above appropriation and by being so retained he shall be available to any and/or all county officials at any time they need his legal advice.	
<i>Provided</i> , however, for extra work done, such as preparing pleadings, making appearances in court and trying cases, he shall be paid additional fees for such extra services in line with fees charged by members of the Bar of Lexington County for similar services.	
TOTAL	\$558,891.00

SECTION 2. All salaries as fixed in this act shall be in lieu of any and all fees and the acceptance of the same by any county official or employee while engaged in county business shall cause the salary of said county official or employee to be reduced accordingly; *provided*, however, that the magistrates and magistrates' constables shall have the right to charge the legal rate for their services in all civil matters and retain such fees, which charges shall be collected from the parties to the civil matters.

SECTION 3. Funds appropriated herein shall be expended according to the following provisions:

(a) That the legislative delegation shall have the authority to authorize an audit of Lexington County affairs when they deem advisable and that the county commissioners and the county treasurer shall pay for the same from any county ordinary fund on hand in an amount to be determined by those authorizing the audit.

(b) That the withholding tax and insurance premiums collected through the county commissioner's office, including county officials and employees, may be paid by the commissioners from ordinary county funds, provided this amount shall be equivalent to the withholding tax and insurance premiums deducted from the salary of each official and employee of the county.

(c) That the county commissioners are hereby required to keep a separate account covering the various items of the supply act and not to exceed in expenditure the amount herein provided for each item; and for any excess allowed or permitted, such officers shall be held liable on their official bond. It shall be unlawful for any county commissioner or commissioners or other officers of county government to purchase, bargain for, or contract for any materials or services which would create a deficit in any item or provisions hereof within the time covered by this act.

(d) The clerk of the county board of commissioners shall make quarterly statements of expenditures and balances of the different items and send statement to each member of the board of commissioners and to each member of the legislative delegation.

(e) The county treasurer is hereby authorized and directed to publish in the county newspapers a statement reflecting the financial condition of Lexington County as of December 31, 1959 and June 30, 1960.

(f) The county treasurer and county board of commissioners are hereby authorized to borrow a sum of money not to exceed fifty thousand dollars, if so much be necessary, to meet the appropriations herein made should such be necessary for lack of funds arising from revenue now in sight. The same shall be borrowed at the best obtainable rate and terms.

SECTION 4. All appropriations herein made are subject to the right and authority of the legislative delegation in the General Assembly to alter, increase, deduct therefrom, or transfer funds from one account to another at any time without notice when, in their

judgment, such alterations, increases, deductions or transfers are necessary for the best interests of the county and/or to conform with the revenue expected during the life of this act. All funds provided for herein which are not expended by June 30, 1960, shall revert to the county ordinary account. *Provided*, that all active members of the National Guard Companies of West Columbia and Batesburg-Leesville and Lexington shall be exempt from payment of road tax in Lexington County during the fiscal year.

SECTION 5. All county public buildings shall be under the control and custody of the Lexington County Board of Commissioners.

SECTION 6. The Lexington County Board of Commissioners is hereby authorized and directed to pay out of the ordinary county funds of Lexington County a sufficient sum or sums to match other available funds for the retirement of all county officials or employees as is now provided by law under the Retirement Act and the Social Security Act.

SECTION 7. All expenditures and transfers of funds by the county commissioners and the county treasurer, as heretofore authorized by the legislative delegation in the General Assembly from Lexington County, are hereby validated and approved for the past and present fiscal year.

SECTION 8. In the event of the death or resignation of any county official, or the death, resignation or discharge of any county employee, the appropriations herein made to that particular county official as salary or to that particular county employee as salary shall, immediately upon such death, resignation or discharge, be transferred to the miscellaneous contingent fund and a new salary schedule shall be provided from the miscellaneous contingent fund, not to exceed the amount herein appropriated for such official or salary of county employee, by a majority of the Lexington County Legislative Delegation.

SECTION 9. No expenditures in excess of one hundred dollars for the purchase of any equipment, materials or supplies shall be made, unless through regular contractual services, unless first let by sealed bid after advertisement in a county newspaper of general circulation (except parts needed for repairing equipment), and all things being equal, said purchase shall be made from the person, firm or corporation submitting the low bid. *Provided*, further, that all things being equal, all purchases for and in behalf of the county shall be made from Lexington County firms and businesses.

SECTION 10. All gasoline, motor fuels, oils, and lubricants purchased by and through and used by the Sheriff's office and Board of Commissioners shall be done only after advertising and receiving bids for the same to be supplied to the several offices on a quarterly basis.

SECTION 11. All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R468, S342)

No. 468

An Act To Provide For The Transfer Of Funds For Lexington County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County—transfer of funds.—The Treasurer of Lexington County is hereby authorized to transfer forty-five thousand dollars from the General Fund of Lexington County to the Miscellaneous Contingent Fund.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R502, S1730)

No. 469

An Act Authorizing Lexington County School District No. 3 To Borrow Not Exceeding Fourteen Thousand Dollars From The Lexington County Sinking Fund And To Provide For Its Use And Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Lexington County School District 3 to borrow money.—Lexington County School District No. 3 is hereby authorized to borrow a sum not to exceed fourteen thousand dollars from the Lexington County Sinking Fund. The proceeds of the loan shall be used for making renovations and permanent improvements to the school facilities in the district. The loan shall be evidenced by a note or notes duly executed by the trustees of the district, which loan shall bear interest not to exceed four per cent per annum, with the loan to mature on or before March 1, 1961. All surplus funds now in the Bond Account of School District No. 3 and all other surplus funds that accrue to this account are hereby irrevocably pledged for the payment of the loan authorized by this act.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R11, H1058)

No. 470

An Act Transferring The Sum Of Fifteen Thousand Dollars From The General Fund Of McCormick County To The Contingent Fund Of McCormick County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. McCormick County—transfer of funds.—There is hereby transferred from the General Fund of McCormick County to the Contingent Fund of McCormick County the sum of fifteen thousand dollars.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1959.

(R204, H1442)

No. 471**An Act Authorizing And Directing The Treasurer Of McCormick County To Transfer Five Thousand Dollars From The General Fund Of The County To The Contingent Fund.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. McCormick County to transfer funds.—The Treasurer of McCormick County is authorized and directed to transfer five thousand dollars from the general fund of the county to the contingent fund.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R381, H1214)

No. 472**An Act To Provide For The Levy Of Taxes For Ordinary County Purposes For McCormick County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And Providing For The Expenditure Thereof.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following appropriations are made for McCormick County for a period of one year, beginning July 1, 1959, and ending June 30, 1960 :

Item A. For the construction and maintenance of county roads, bridges, dieting, clothing and maintenance of chain gang prisoners. Also salary for two overseers or guards	\$ 18,000.00
<i>Provided</i> , that the supervisor or county board of commissioners shall employ no other help than that provided for herein unless authorized by the county delegation.	
Office clerk	2,000.00
Total Item A	\$ 20,000.00

Item B. Salaries

Clerk of court	\$ 3,300.00
<i>Provided</i> , however, that the clerk of court shall comply with Act No. 770 passed by the Legislature of South Carolina in 1936 and carried in the Acts of 1936 at pages 1449 and 1450 before he shall be entitled to said salary.	
Clerk to clerk of court	2,000.00
Treasurer	700.00
Clerk to treasurer	2,000.00
Auditor	700.00
Clerk to auditor (7 mos.)	1,166.66
Coroner	330.00
County physician	110.00
Janitor at courthouse	1,200.00
Two county commissioners at \$330.00 each ...	660.00
Judge of Probate	1,650.00
County attorney	330.00
Magistrate at McCormick	1,650.00
Magistrate at Willington	825.00
Magistrate at Parksville	825.00
Sheriff, salary	2,700.00
Sheriff, expense fund	500.00
<i>Provided</i> , said amount to be paid in equal monthly payments without the necessity of itemizing the same.	
Two deputy sheriffs, salary, each \$2,700.00	5,400.00
Two deputy sheriffs, expense fund, \$500.00 each	1,000.00
<i>Provided</i> , said amount to be paid in equal monthly payments without the necessity of itemizing the same.	
<i>Provided</i> , that the sheriff or his deputies shall serve warrants for the county magistrates and one of the deputies to be designated by the sheriff shall also serve as magistrates' constable.	
Travel expenses and maintenance of automobiles for sheriff's office, if so much be necessary	1,200.00
Supervisor, salary and traveling expenses for supervisor who shall furnish his own car, said amount to be paid in equal monthly payments without the necessity of itemizing same	3,520.00

	Tax Collector	1,650.00
	Tax collector's expenses, who shall furnish his own car, to be paid in equal monthly payments	1,200.00
	Total Item B	\$ 34,616.66
Item C. County:		
	County board of equalization	\$ 750.00
	Vital statistics	150.00
	Total Item C	\$ 900.00
Item D. Jail expenses:		
	To include only the dieting of prisoners at one dollar per day and electric current, if so much be necessary	\$ 1,500.00
	<i>Provided</i> , records of prisoners' entrance and re- lease shall be kept and such records shall be subject to annual audit.	
	Total Item D	\$ 1,500.00
Item E. Jurors and witnesses and court expenses:		
	<i>Provided</i> , that grand jurors and petit jurors shall be paid at the rate of seven dollars and fifty cents per day and mileage. <i>Provided</i> , further, that magistrates' and coroner's jurors shall be paid at the rate of one dollar and fifty cents per day upon the authorization of the magistrate or coroner	\$ 3,500.00
	Total Item E	\$ 3,500.00
Item F. Post mortems, inquests, autopsies and lunacies, if so much be necessary		\$ 500.00
	Total Item F	\$ 500.00
Item G. Public buildings, including lights, fuel, water, telephones and other necessary supplies, other than constructing new or making repair of public buildings which shall be approved by the Mc- Cormick Building Commission and cost shall be		

paid from such amount as the commission and county delegation shall designate		\$ 5,000.00
Total Item G		\$ 5,000.00
Item H. Printing, postage, stationery and office supplies		\$ 1,500.00
Total Item H		\$ 1,500.00
Item 1. Annual audit of county books from June 30, 1958 to July 1, 1959, if so much be necessary		\$ 450.00
Total Item I		\$ 450.00
Item J. Premiums on officers' bonds and workmen's com- pensation premiums, when such premiums are certified to and in order, if so much be necessary		\$ 1,000.00
Total Item J		\$ 1,000.00
Item K. Miscellaneous contingent fund: To be expended only in case of emergency and only then upon the written approval of the legis- lative delegation		\$ 10,000.00
Total Item K		\$ 10,000.00
Item L. County health unit, if so much be necessary		\$ 2,200.00
Total Item L		\$ 2,200.00
Item M. Public welfare		\$ 5,000.00
<i>Provided</i> , such funds shall be kept separate to facilitate annual audit.		
Total Item M		\$ 5,000.00
Item N. Library board		\$ 1,200.00
<i>Provided</i> , that this sum shall be paid upon the authorization of the secretary-treasurer of the library board.		
Total Item N		\$ 1,200.00

Item O. Police Insurance	\$ 1,600.00
Total Item O	\$ 1,600.00
Item P. Retirement (County's part)	\$ 975.00
Total Item P	\$ 975.00
Item Q. Social Security (County's part)	\$ 950.00
Total Item Q	\$ 950.00
Item R. National Guard	\$ 500.00
Total Item R	\$ 500.00
GRAND TOTAL	\$ 91,391.66
Less revenue other than taxes:	
U. S. Forestry Service	\$ 22,500.00
Gas Tax	27,000.00
Other revenues	25,000.00
Total estimated revenue	\$ 74,500.00
Amount to be raised by taxation	\$ 16,891.66

SECTION 2. The various sums herein appropriated shall be used only for the purpose for which they are specifically appropriated and for no other. *Provided*, that transfers from one appropriation to another may be made upon the written approval of the legislative delegation. It shall be unlawful for any officers of the county to exceed any appropriation or to contract any obligation of indebtedness in excess of any appropriation, herein provided for, except upon the written authority of the Legislative Delegation of McCormick County; and obligations incurred without the written authority shall not be binding upon McCormick County. Any officer violating the provisions of this section may be removed from office by the Governor, upon the recommendation of the legislative delegation, and his bond shall be liable for any expenditure or any debt incurred in excess of such appropriation should it be determined that the county is liable therefor.

SECTION 3. The supervisor shall file an itemized statement of all expenditures for the previous month with the clerk of court and an

itemized statement of all expenditures shall be published quarterly in the County Gazette, and the same shall become a public record. The county board of commissioners is hereby required to deliver to the county treasurer at the conclusion of the year 1959 an itemized sworn statement of all unexpended balances from the various items hereinabove appropriated, which statement shall be filed by the treasurer with the clerk of court and become a public record. The county supervisor is hereby required to keep a separate account of all funds expended from the various sums appropriated for county purposes and shall issue no warrant in excess of such appropriations. *Provided*, that the county commissioners shall have equal authority in county matters with the supervisor.

SECTION 4. The auditor and treasurer are hereby authorized and required to levy and collect a sufficient tax as provided by law, to raise sufficient money to meet and pay the amount appropriated by law for McCormick County for the year 1959. No money shall be spent otherwise than herein specifically authorized and none of the items shall be enlarged upon or construed as suggestive or directory, but are mandatory.

SECTION 5. No money shall be borrowed by the county nor interest paid on same for longer periods than the collection of taxes sufficient to pay the same makes it necessary, and no note in excess of the sum provided by law shall be made by the county commissioners except upon the written authority of the county legislative delegation which shall be filed with the clerk of court.

SECTION 6. The McCormick County Delegation is hereby authorized and empowered to pay to the members of the forestry committee or any other members of a committee authorized by legislation, meeting during the year 1959, the sum of five dollars per day from the contingent fund under Item K. *Provided*, however, that none of the committee shall be paid for more than twelve meetings during the fiscal year 1959-60.

SECTION 7. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing attorney as county attorney who shall render legal advice to any county officer of McCormick County when so requested by such officer regarding official matters pertaining to any duty of any officer of McCormick County or as to the law pertaining to any matter connected with the administration of such office.

SECTION 8. The County Board of Commissioners of McCormick County is hereby authorized and empowered to appoint a practicing physician whose duties shall be to look after the health condition of the county and attend any prisoner either on the chain gang or in the county jail and make such recommendation as he might think proper for the safeguarding of the health of the prisoners of the communities of the county.

SECTION 9. The McCormick County Delegation may, at any time, order the discontinuance and storage of any motor car or other equipment owned or hereafter to be owned by McCormick County. *Provided*, further, that no equipment owned by McCormick County shall be used for anything but county or public purposes.

SECTION 10. No property owned by McCormick County shall be sold, rented, or leased unless the approval of the legislative delegation shall be first secured.

SECTION 11. Unless otherwise specifically authorized herein, no bill or claim against the County of McCormick shall be approved or paid unless the same is fully itemized and states, under oath, what it is for, giving the kind and quality of thing or commodity it represents and carries the same number as the county voucher, in addition to the amount and the time furnished and no person shall make oath to such itemized statement or claim for any other person.

SECTION 12. All expenditures over two hundred dollars for supplies and materials shall be purchased on competitive bids.

SECTION 13. No officer of McCormick County shall charge or collect any money for an expense account except as herein provided for.

SECTION 14. Any officer or employee of the County of McCormick who disregards the provisions of this act shall be guilty of misconduct in office and subject to removal in addition to the punishment now provided by law.

SECTION 15. The officials at the McCormick County Courthouse are hereby authorized to close their offices on one afternoon during the week of the summer months provided the majority of the merchants in the Town of McCormick close their places of business one afternoon of said week, and the afternoons taken off by the courthouse

officials shall be the same afternoon on which the business houses are closed.

SECTION 16. For the year 1959, the supervisor shall employ such help as necessary, other than that herein provided for, upon the written approval of the Legislative Delegation from McCormick County.

SECTION 17. Immediately upon receiving tax duplicates from the county auditor, the county treasurer shall cause to be mailed to each taxpayer listed thereon, whose post office address is available, a written or printed notice stating thereon the amount of taxes assessed against the taxpayer for the current year, with such other information as the county treasurer may deem desirable. This service to the taxpayer being gratuitous, no obligation shall rest upon the county or State, or county treasurer for any failure or mistake on the part of the county treasurer in giving or failing to give the notice.

SECTION 18. From the county board of education fund herein appropriated, all members of the county board, except the superintendent of education, shall be paid five dollars per day for each day in attendance upon meetings of the county board and mileage from the homes of the members each way at the rate of seven cents per mile. *Provided*, further, that the county board of education is hereby authorized to pay from this appropriation any clerical help or mileage necessary for the office of the superintendent of education as may be deemed necessary by the county board.

SECTION 19. Custodian of the McCormick County office building and grounds shall be designated by the McCormick Legislative Delegation and shall approve all claims for expenses necessary for the operation of the county office building.

SECTION 20. The trustees of the McCormick County schools are hereby authorized and directed to furnish to the county board of education a budget for the operation and maintenance of the schools of the county for the year 1959-60. The county board of education shall have the authority to increase or decrease the budget as it may deem necessary. The county auditor is hereby authorized and directed to levy a sufficient number of mills on taxable property in McCormick County for the said purposes with the approval and consent of the county delegation. The county treasurer is hereby directed to collect

the funds and place in the school fund and to disburse the funds as now prescribed by law.

SECTION 21. Any surplus funds of McCormick County may be invested by the county treasurer upon written approval of the county delegation.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R49, H1088)

No. 473

An Act To Authorize And Empower The Board Of Trustees Of Mullins School District No. 2 Of Marion County, To Issue Not Exceeding Three Hundred Seventy-five Thousand Dollars Of General Obligation Bonds Of School District No. 2, Marion County, If The Election Required By This Act Shall Result Favorably; To Prescribe The Conditions Under Which The Bonds May Be Issued And The Purposes For Which Such Proceeds May Be Expended And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that further school facilities are needed by Mullins School District No. 2 of Marion County, hereinafter called “the district” and enacts this act as a means of providing an opportunity whereby funds may be acquired for constructing, equipping, renovating and repairing school buildings in the district.

SECTION 2. Mullins School District 2 may issue bonds if election favorable.—If the election required by this act shall result favorably to the issuance of the bonds authorized by this act, then in such event, the Board of Trustees of Mullins School District No. 2, Marion County, hereinafter called “school trustees”, shall be authorized and empowered to issue and sell, either as a single issue or from time to time as several separate issues, not exceeding three

hundred seventy-five thousand dollars of general obligation bonds of the district, or such lesser amount as on the occasion of the issuance of such bonds is found to be within constitutional limitation of the district.

SECTION 3. Conduct of election.—Not more than six months from the effective date of this act, an election shall be held on a date to be fixed by the school trustees in order to determine if the school trustees shall be empowered to issue bonds under this act to the extent herein provided. The Commissioners of Election for Marion County shall conduct the election and except as otherwise provided in this act, the election shall be conducted in accordance with the provisions of the South Carolina Election Law, Title 23, Volume 3, Code of Laws of South Carolina, 1952, as amended, and all persons resident in the district and qualified to vote under the Constitution and Laws of the State shall be permitted to vote.

SECTION 4. Question.—The question submitted to the qualified electors in the election shall be substantially in the following form:

“Shall there be issued on behalf of Mullins School District No. 2, Marion County, either as a single issue or from time to time as several separate issues, not exceeding three hundred seventy-five thousand dollars of general obligation bonds of the school district, whose proceeds shall be expended to construct, equip, renovate and repair school buildings within the district?”

The question shall be followed by the words

Yes

No

and with suitable instructions to those voting indicating that those who favor the issuance of bonds shall deposit a ballot with the word “No” stricken through, while those who oppose the issuance of bonds shall deposit a ballot with the word “Yes” stricken through.

SECTION 5. Polling places.—A polling place for voting in the election shall be located in each voting precinct of Marion County, lying wholly or partially within the district.

SECTION 6. Notice.—Notice of the holding of such election shall be given by the Commissioners of Election for Marion County by publication thereof in a newspaper published in Marion County and having circulation in the district, at least twice. The first advertisement shall appear not less than fifteen days prior to the date of the

election and the second publication shall appear not more than ten days prior to such occasion. Such notice shall state:

1. The date on which the election is to be held;
2. The location of the several polling places;
3. The qualifications that are applicable to voting;
4. The amount of bonds to be issued; and
5. The purpose for which the proceeds of the bonds are to be expended.

SECTION 7. Results.—As soon as convenient following the election, the Commissioners of Election for Marion County shall render a return of the results of the election to the school trustees, and the school trustees shall by resolution declare such results. The school trustees may provide for the filing of a certified copy of such resolution declaring such results in the office of the Clerk of Court for Marion County. In such event, neither the results of such election as declared by the aforesaid resolution, nor the manner of holding the election shall be open to question except by a suit or proceedings instituted within thirty days from the date of the filing of such certified copy of such resolution.

SECTION 8. Bond issue—maturity.—All bonds issued pursuant to this act shall mature in such annual series or instalments as the school trustees shall provide for, except that the first maturing bonds of any issue shall mature within three years from the date as of which they shall be issued; not less than three per cent of any issue shall mature in any year; and no bond shall mature later than twenty years from the date as of which it shall be issued.

SECTION 9. Redemption.—Any bond issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the school trustees, but no bond shall be redeemable before maturity unless it contains a statement to that effect. In the proceedings authorizing the issuance of such bonds, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 10. Form.—The bonds issued pursuant to this act shall be in the form of negotiable coupon bonds, payable to bearer, but may be issued with the privilege to any holder of having them registered as to principal on the books of the Treasurer of Marion County,

upon such conditions as the school trustees may prescribe. Except when so registered, all bonds issued pursuant to this act, shall have all attributes of negotiable instruments under the law merchant and the negotiable instruments law.

SECTION 11. Where payable.—The bonds issued pursuant to this act shall be made payable at such places, within or without the State, as the school trustees shall provide.

SECTION 12. Interest.—Bonds issued pursuant to this act shall bear interest at rates determined by the school trustees.

SECTION 13. Execution.—The bonds shall be executed in the name of Mullins School District No. 2 of Marion County by the chairman and secretary of its board of trustees under the seal of the school district. The coupons attached to such bonds need not be authenticated otherwise than by the facsimile signatures of the chairman and the secretary lithographed or engraved thereon.

SECTION 14. Sale.—Bonds issued pursuant to this act shall be sold at a price of not less than par and accrued interest to the date of their respective deliveries. They shall be sold after public advertisement of their sale in a newspaper of general circulation in South Carolina. Such published notice shall appear not less than ten days prior to the occasion set for opening bids.

SECTION 15. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Mullins School District No. 2 of Marion County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Marion County, and collected by the Treasurer of Marion County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor; *provided*, that, until changed by subsequent enactment, the ad valorem tax levy shall be reduced to the extent that there is on deposit with the Treasurer of Marion County, on the occasion in each year when the ad valorem tax levy is to be made, moneys derived from contributions or grants from the State of South Carolina to Mullins School District No. 2 of Marion County for capital improvements for

school facilities which can be used for the payment of such principal and interest, and in all instances where an annual tax levy is so reduced, the moneys derived from such contributions and grants shall be applied to the payment of such principal and interest and to no other purpose.

SECTION 16. Tax exemption.—The principal and interest of bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 17. Proceeds.—The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Marion County, to be deposited in a Bond Account Fund for the district, and shall be expended and made use of by the school trustees as follows:

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds authorized hereby, and to acquire further school facilities as provided herein.

(d) If any balance remain, the same shall be held by the Treasurer of Marion County in a special fund and used to effect the retirement of bonds authorized hereby.

SECTION 18. Powers to be additional.—The powers and authorizations hereby conferred upon the school trustees shall be in addition to all other powers and authorizations previously vested in the school trustees.

SECTION 19. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R397, H1618)

No. 474

An Act To Empower The Mullins Hospital Commission Of Marion County To Borrow Not Exceeding Forty Thousand Dollars On Behalf Of The Political Subdivision Of Marion County Known As Reaves Township, To Prescribe The Conditions Under Which The Loan May Be Made And The Purposes For Which The Proceeds May Be Expended, And To Make Provision For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of the General Assembly.—The General Assembly finds that pursuant to Act No. 436 of 1923, a public hospital has been established in the political subdivision in Marion County known as Reaves Township, to which Township was committed the function of operating a hospital for the benefit of the public of said Township, and which hospital is being operated by the Commission established by Act No. 1131 of 1934, known as the Mullins Hospital Commission, hereinafter called “the Commission”. It further finds that improvements and additions to the hospital are needed and enacts this law as a means of providing an opportunity whereby the same may be obtained.

SECTION 2. Mullins Hospital Commission may borrow money for improvements for Reaves Township Hospital—notes.—In order to obtain improvements for the hospital operated for Reaves Township, the Commission shall be empowered to borrow not exceeding Forty Thousand Dollars and may evidence such indebtedness by obligations denoted “bonds” or “notes”.

SECTION 3. Maturity of notes.—All obligations issued pursuant to this act shall mature in such annual series or installments as the Commission shall provide for, except that the first maturing obligations shall mature within three years from the date as of which they shall be issued; not less than three per cent of such obligations shall mature in any year; and none of such obligations shall mature later than twenty years from their date.

SECTION 4. Redemption.—Any obligation issued pursuant to this act may be issued with a provision for its redemption prior to its stated maturity at par and accrued interest, plus such redemption premium as may be prescribed by the Commission, but no obligation

shall be redeemable before maturity unless it contains a statement to that effect. If the option here granted the Commission be availed of, provision shall be made specifying the manner of call and the notice thereof that must be given.

SECTION 5. Form.—The obligations issued pursuant to this act shall be in the form of notes or bonds, and may be issued either in registered or coupon forms in the discretion of the Commission.

SECTION 6. Where payable.—The obligations issued pursuant to this act shall be made payable at such places, within or without the State, as the Commission shall provide.

SECTION 7. Interest.—Obligations issued pursuant to this act shall bear interest at rates determined by the Commission.

SECTION 8. Execution.—Obligations issued pursuant to this act and all coupons, if any, annexed thereto shall be executed in the manner provided for by the Commission.

SECTION 9. Sale.—Obligations issued pursuant to this act shall be sold at public or private sale in the discretion of the Commission.

SECTION 10. Payment—tax levy.—For the payment of the principal and interest of all obligations issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Reaves Township shall be irrevocably pledged, and there shall be levied annually by the Auditor of Marion County and collected by the Treasurer of Marion County, in the same manner as county taxes are levied and collected a tax without limit, on all taxable property in Reaves Township sufficient to pay the principal and interest of such obligations as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 11. Payment—further.—For the payment of the principal and interest of all obligations issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, all surplus funds accruing to the hospital, shall be irrevocably pledged, sufficient to pay the principal and interest of such obligations as they respectively mature and to create such sinking fund as may be necessary therefor, and the Commission is hereby required and directed to pay and apply such surplus funds to the payment of the obligations, and to no other purpose. If such

surplus funds, when so applied to the payment of the principal and interest are sufficient, then the tax herein authorized shall not be levied.

SECTION 12. Tax exempt.—The principal and interest of obligations issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 13. Proceeds.—The proceeds derived from the sale of any obligations issued pursuant to this act shall be deposited by the Treasurer of Marion County in a special account for the district, and shall be expended and made use of by the Commission as follows:

(a) Any accrued interest shall be applied to the payment of the first installment of interest to become due on such obligations;

(b) Any premium shall be applied to the payment of the first installment of principal of such obligations; and

(c) The remaining proceeds shall be used to defray the cost of issuing the obligations and the cost of effecting the improvements to the hospital authorized herein.

SECTION 14. Powers additional.—The powers and authorizations hereby conferred upon the Commission shall be in addition to all other powers and authorizations previously vested in the Commission.

SECTION 15. Date of issue—to be issued only if Hill-Burton funds available.—The bonds authorized by this act shall be issued prior to June 1, 1960, and shall only be issued in the event Hill-Burton matching funds are made available.

SECTION 16. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

1, 1959, And Ending June 30, 1960; To Provide For The Expenditure Thereof; To Authorize The Proper Officers Of The County To Borrow Money To Meet Such Appropriations, And To Provide For The Levy Of Such Taxes As May Be Necessary To Raise The Required Amount, Taking Into Account Other Revenues Of The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. After first deducting the estimated or anticipated revenues, a tax is hereby levied for the calendar year 1959 upon the taxable property of Marion County for county purposes, for the fiscal year beginning July 1, 1959, and ending June 30, 1960, in the amount and for the purposes hereinafter stated.

SECTION 2. For the purposes stated in this act, a levy is hereby made upon the taxable property of the county for the calendar year 1959 to be expended for the fiscal year beginning July 1, 1959, and ending June 30, 1960, as hereinafter set forth; *provided*, however, that the County Auditor is hereby directed to make a calculation of the amount of the levy that will be necessary to raise the sum appropriated in this act, first taking into account the probable income from all other sources; he is directed to notify the Legislative Delegation, a majority of whom, may raise or lower the levy; and he is authorized and directed to impose in due time such levy upon the property of the county as will raise the sums of money necessary under this act. *Provided*, further, that said levy shall be made only upon the written approval of a majority of the Legislative Delegation.

SECTION 3. The following amounts are hereby appropriated for the County of Marion for the fiscal year beginning July 1, 1959, and ending June 30, 1960, for the following purposes, and the salaries of the officers and employees are fixed as hereinafter stated:

Item 1. Salaries:

A. Clerk of Court	\$ 1,250.00
B. Sheriff	4,000.00
B-1. Four Deputy Sheriffs @ \$2,860.00 each	11,440.00
B-3. Investigating fund to be used by Marion County Sheriff	600.00
B-4. Travel and other expenses, Sheriff and four Deputies @ \$2,000.00 each	10,000.00

B-5. Gas and oil—Sheriff's office—\$205.00 per month	2,460.00
<i>Provided</i> ; that this sum shall be paid monthly to the Sheriff for division between his deputies and himself at the rate of \$41.00 per month for each deputy and himself for gas and oil.	
B-6. Steno-Clerk and radio dispatcher for Sheriff's office	2,300.00
<i>Provided</i> , however, that the steno-clerk and radio dispatcher herein provided for shall be required to take all the testimony at coroner's inquests as part of his or her regular duties and without additional compensation.	
C. Jailor	2,200.00
D. Magistrate at Marion	2,250.00
D-1. Rent—Magistrate at Marion	180.00
E. Magistrate at Mullins	2,250.00
F. Magistrate at Centenary-Rains	650.00
F-1. Magistrate's Constable at Centenary-Rains	1,550.00
G. Magistrate at Britton's Neck Township	650.00
G-1. Magistrate's Constable at Britton's Neck Township	1,550.00
H. Magistrate at Nichols	650.00
I. Treasurer	1,300.00
J. Incidental Expenses—Treasurer	700.00
K. Assistant Treasurer	3,000.00
<i>Provided</i> , that the Treasurer of Marion County is authorized to continue the employment of Mrs. Clara Allen regardless of retirement age.	
L. Auditor	1,300.00
M. Clerk to Auditor	3,000.00
N. Travel and Other Expenses—Auditor	700.00
N-1. Extra Clerical Help, Auditor	600.00
O. Coroner	1,000.00
O-1. Travel and other expenses—Coroner	400.00
P. Chairman of County Board of Commissioners.	4,300.00
Q. Travel and other expenses of Chairman of County Board of Commissioners	1,500.00
R. Six County Commissioners @ \$400.00 each for travel and official expenses	2,400.00
S. One Clerk to Commissioners	2,500.00

T. Tax Collector	1,200.00
U. Clerk and Stenographer for Tax Collector ..	2,300.00
V. Superintendent of Education, Travel and incidentals	850.00
TOTAL ITEM 1	\$ 71,030.00
Item 2. County Boards:	
A. Board of Education—Seven members @ \$300.00 each for travel and official expenses	\$ 2,100.00
B. One Clerk to Superintendent of Education ...	2,400.00
C. Board of Equalization	1,500.00
TOTAL ITEM 2	\$ 6,000.00
Item 3. Post Mortems and Lunacies	\$ 400.00
TOTAL ITEM 3	\$ 400.00
Item 4. Welfare Department:	
A. Emergency Relief	\$ 2,000.00
B. Charity Hospitalization	4,000.00
C. Chairman—Public Welfare Board	300.00
D. Pauper Funerals	1,200.00
<i>Provided</i> , that no funds shall be paid to any hospital outside of Marion County unless there is a reciprocal agreement with such outside county.	
<i>Provided</i> , further, no hospital shall be compensated at a higher rate than ten dollars per day from county funds.	
<i>Provided</i> , further, that the Marion County Welfare Board shall make all necessary investigations. <i>Provided</i> , further, that no hospitalization shall be paid in excess of ten days from county funds and there shall not be expended on any one case a greater sum than one hundred dollars.	
<i>Provided</i> , further, that when funds under Item B are exhausted the Marion County Welfare Board shall not approve for charity hospitalization further disbursement until additional funds become available.	
TOTAL ITEM 4	\$ 7,500.00

- Item 5. Jurors and Witnesses\$ 7,000.00
Provided, that witnesses shall receive two dollars per diem (jurors and court attaches shall receive per diem of six dollars).
Provided, further, that jurors in Magistrates' Courts in criminal cases and jurors in Coroner's Court shall be paid two dollars per day upon warrants of the Magistrate, Coroner or Sheriff.

TOTAL ITEM 5\$ 7,000.00

Item 6. Public Buildings:

- A. Public Buildings, including lights, water, grounds, office rent, etc.\$ 10,000.00
B. For addition, alteration and enlargement of clerk of court and judge of probate office building 15,000.00
Provided, that no contract shall be entered into authorizing the alterations and improvements to said office building except upon approval of the Legislative Delegation.
C. Painting and repairing courthouse 2,000.00

TOTAL ITEM 6\$ 27,000.00

- Item 7. Vital Statistics\$ 550.00

TOTAL ITEM 7\$ 550.00

- Item 8. Ordinary Contingent\$ 5,000.00

TOTAL ITEM 8\$ 5,000.00

- Item 9. Roads, Bridges, Chain Gang, Jail, Dieting Prisoners, Medical and Legal Services, Medicine and Maintenance\$109,000.00
Provided, however, that the total amount of gasoline tax allocated to Marion County be deducted from the total of \$109,000.00 and the remainder be raised by tax levy.

TOTAL ITEM 9\$109,000.00

Item 10. Salary for Clerk to Marion County Tuberculosis Association	\$ 1,500.00
A. Travel Expenses for Tuberculosis Nurse	840.00
TOTAL ITEM 10	\$ 2,340.00
Item 11. Health Department	\$ 9,603.00
TOTAL ITEM 11	\$ 9,603.00
Item 12. Libraries:	
A. Marion Library	\$ 1,750.00
B. Mullins Library	1,750.00
C. Nichols Library	750.00
D. Traveling Library	1,500.00
TOTAL ITEM 12	\$ 5,750.00
Item 13. County Agent's Office:	
A. County Agent	\$ 900.00
A-1. Two Assistant County Agents @ \$300.00 each	600.00
B. Clerk to County Agent	150.00
C. Postage and Office Supplies	400.00
TOTAL ITEM 13	\$ 2,050.00
Item 14. Home Demonstration Agent's Office:	
A. Clerk—Salary Supplement	\$ 420.00
B. Supplies and Incidentals	200.00
C. Telephone	150.00
D. Home Demonstration Agent, Salary Supplement	240.00
E. Assistant Home Demonstration Agent, Salary Supplement	150.00
TOTAL ITEM 14	\$ 1,160.00
Item 15. Boys' and Girls' 4-H Club Work	\$ 300.00
TOTAL ITEM 15	\$ 300.00
Item 16. Negro Agricultural and Home Demonstration Agent's Office:	
A. Rent, fuel, telephone and other supplies and services	\$ 750.00

B. Clerical Help	1,800.00
<i>Provided</i> , that the County Agent and Home Demonstration Agent shall employ said clerk or clerks.	
C. Home Demonstration Agent—Travel and other expenses (Travel \$570.00—Salary \$570.00) ..	1,140.00
D. Equipment, Demonstration Materials and sup- plies and Activities	250.00
E. Boys' 4-H Club Work and Supplies	150.00
F. Girls' 4-H Club Work and Supplies	150.00
G. Negro Agricultural Agent—Salary Supplement	300.00
TOTAL ITEM 16	\$ 4,540.00
Item 17. Office of Judge of Probate	\$ 2,400.00
TOTAL ITEM 17	\$ 2,400.00
Item 18. Marion Soil Conservation District	\$ 300.00
TOTAL ITEM 18	\$ 300.00
Item 19. Marion County Planning and Development Board, Expenses	\$ 1,200.00
TOTAL ITEM 19	\$ 1,200.00
Item 20. Miscellaneous:	
A. Britton's Neck Fire Dept.	\$ 200.00
B. Marion Rural Fire Dept.	500.00
C. Mullins Rural Fire Dept.	500.00
C-1. Nichols Rural Fire Department	200.00
D. Marion National Guard	1,000.00
E. Mullins National Guard	1,000.00
F. Radio Repair for Radios and Insurance on ra- dios	1,100.00
G. For changing over Radio Equipment	1,200.00
H. Official Bond Premiums	800.00
I. Printing and office supplies, stamps, and Box Rent	2,750.00
J. Advertising—Tax Notices	600.00

K. Junior Homemakers Association	300.00
TOTAL ITEM 20	\$ 10,150.00
GRAND TOTAL	\$273,273.00
Less Estimated Revenues:	
Magistrates' Fines	\$ 33,000.00
Alcoholic Tax	26,000.00
Gas Tax	87,405.00
Beer and Wine Tax	6,783.00
Fines and Forfeitures	7,100.00
Insurance Licenses	15,000.00
Bank Tax	3,700.00
Income Tax	38,500.00
Interest	1,400.00
Miscellaneous Revenue	3,500.00
Fortune tellers, spiritualists, clairvoyants, palm- istrists, etc.	4,000.00
TOTAL	\$226,388.00
AMOUNT TO BE RAISED BY TAXA- TION	\$ 46,885.00

SECTION 4. The Board of County Commissioners be, and it is hereby authorized to borrow, at such time or times, and upon such terms as it may prescribe, upon sealed competitive bids, after written notice to all banks in Marion County, a sum or sums not exceeding in the aggregate the amount hereinabove appropriated, pledging all taxes to be raised by virtue of the levy to be made hereunder and the full faith and credit of the county for such loan or loans. The Chairman of the Board of County Commissioners and the County Treasurer shall execute a note or notes for such loan or loans, which note or notes when so executed shall be a lien upon all taxes to be raised during the year 1959 for the levy to be made under this act; *provided*, that the monies hereinabove appropriated shall be used only for the purpose for which such appropriation is made and for no other purpose or purposes and the Board of County Commissioners and the County Treasurer are hereby expressly forbidden to exceed directly or indirectly the appropriations herein

made for any purpose whatsoever unless upon authorization of the County Delegation; and *provided*, further, that all unexpended balances on appropriations for the period beginning July 1, 1958, and ending June 30, 1959, shall be added to the ordinary county funds hereinabove mentioned. *Provided*, that no funds of Marion County in excess of the sum protected by the Federal Deposit Insurance shall be deposited by an officer thereof in any bank or banks unless such bank or banks shall file with the County Treasurer an indemnity bond in some approved surety company, or shall deposit with the County Treasurer, United States, State, County, Municipal, School District, Federal Land Bank bonds, or other bonds guaranteed by the United States, or county notes, to indemnify the County of Marion against any loss or damage which may arise by reason of such deposit, the said indemnity to be not less than the maximum amount so deposited less the sum protected by the Federal Deposit Insurance, the sufficiency of the indemnity or security hereinabove provided for to be determined and approved by the County Treasurer and the Chairman of the Board of County Commissioners in writing. In addition to borrowing such sum or sums as may be necessary to cover the provisions of this act, in case of an emergency, the Marion County Legislative Delegation to be the judges thereof, the Board of County Commissioners may, with written approval of the Marion County Legislative Delegation, borrow such additional funds as may be necessary to meet such emergency, pledging as security therefor, the full faith and credit of Marion County for the payment of any sum or sums so borrowed.

SECTION 5. From the effective date of this act fishing from the banks with hook and line only shall be permitted in the sanctuaries between Aerial's Cross Roads and Galivant's Ferry from sunrise to sunset on Wednesday and Saturday of each week.

SECTION 6. The amounts hereinbefore appropriated for salaries for officers and employees shall be in full for their compensation and they shall not receive allowances for travel or other expenses, except as herein provided, save and except postage, stationery, and office supplies, which shall also be furnished each of the magistrates upon their written requisition to the Board of County Commissioners. No claim for mileage or travel for any purpose, shall be paid without claimant first securing the approval of the County Board of Commissioners before making such trip, and if such travel

or mileage is authorized and approved, claimant shall be paid at the rate of seven cents per mile for actual distance traveled in the most direct route going to and returning from the place of destination. *Provided*, that the sheriff is required to use the facilities of the State whenever available for the purpose of returning prisoners to the county.

SECTION 7. The amount hereinabove appropriated for the hospitalization fund shall be paid by the County Board of Commissioners upon presentation to them of approved claims by the County Board of Welfare or its director. The County Board of Welfare, working in conjunction with the superintendent of the hospital, is hereby directed to make a thorough study of the needs of every applicant for assistance from this fund. It shall work in conjunction with the superintendent of the hospital and in the investigation of any applicant for assistance from this fund, the records, files and information which the superintendent of the hospital may have concerning such applicant shall be accessible to the County Board of Welfare in order to determine whether or not such applicant is entitled to assistance hereunder, and likewise any files, records and information which the County Board of Public Welfare may have concerning the applicant shall be accessible to the superintendent of the hospital. In the event the County Board of Public Welfare and the superintendent of the hospital are unable to agree whether or not such applicant is entitled to assistance hereunder, then one disinterested member of the Welfare Board, after having studied the report or reports on such applicants, shall determine whether the applicant is entitled to assistance. In emergency cases, the County Board of Public Welfare is directed to make an investigation of the applicant even though he or she may have already been admitted to the hospital or discharged therefrom, and if it is finally determined that such emergency case is entitled to assistance hereunder, the County Board of Public Welfare is hereby directed to approve same.

SECTION 8. The Board of County Commissioners shall have authority to employ a County Attorney and to pay for his services out of the Contingent Fund.

SECTION 9. The County Board of Commissioners through its chairman or clerk is hereby authorized and directed to issue a license to carnivals or other shows operating in Marion County. The license fee shall not exceed the sum of one hundred dollars per day, and the

amount of the fee shall be recommended by the Chairman of the County Board of Commissioners after he has made an investigation of the type of carnival or show concerned and the type and kind of its activities. *Provided*, that this section shall not apply to carnivals or shows contracting with the Marion County Fair Association.

Provided, further, that a majority of the County Board of Commissioners, may in their discretion, waive this section when such carnivals or shows are sponsored by a local civic organization.

Provided, further, that any person engaged or offering to engage in the business, trade or profession of fortune telling, palmistry, phrenology, clairvoyance or the prediction of future events by cards or other means and any spiritualist not ministering to a church or who is not recognized by the Marion County Ministerial Association shall pay a license fee of \$1,000.00 per year in advance.

SECTION 10. The appropriation made for the Health Department is conditioned upon the filing of a monthly statement in writing with the Board of County Commissioners and the Legislative Delegation showing in detail the travel and activities of the County Health Department in the county. The twelve hundred dollars appropriated to the Marion County Tuberculosis Association shall be expended under the joint direction of the association and the tuberculosis nurse.

SECTION 11. The item of two thousand one hundred dollars appropriated for the County Board of Education shall be expended as follows: three hundred dollars per year to be paid to each of the seven members of the board for travel and official expenses.

SECTION 12. The Auditor shall call the local Board of Assessors together before beginning their work and shall instruct them that in all cases where a taxpayer is dead, or has removed, or is unknown to any of them, it shall be their duty to make a list of such and at the conclusion of their work to turn such list over to the Tax Collector. The Tax Collector shall be required to make a personal visit to the territory in which such taxpayer is last listed, and if after a careful investigation he is of the opinion that the person is dead or cannot be found, then same can be nulla bona by the proper authorities and he shall be required to go into this clarification of the tax list immediately after the local boards finish their work and at the end of three months make a report of such work to the County Commissioners and the Delegation and submit a copy of same to the Treasurer. He shall further be required to turn over

to the Treasurer on the first of each month all money collected by his office the preceding month.

SECTION 13. The Tax Collector of Marion County shall receive one dollar and fifty cents execution fee on all taxes so collected by him. The Tax Collector upon collecting said taxes shall turn all costs and fees over to the County Treasurer and take receipts therefor, and at the end of each month thereafter, the County Treasurer is authorized and directed to pay over to the Tax Collector one dollar and fifty cents on each execution fee so collected by him.

SECTION 14. The fifteen hundred dollar item appropriated for the Board of Equalization shall be distributed in the following manner: each member of the board shall be paid five dollars per day while attending his official duties as such, plus seven cents per mile for mileage.

SECTION 15. The Sheriff of the county shall designate one or more of his deputies to have his headquarters in the Town of Mullins, and the deputy so designated shall maintain his headquarters in the town, and shall serve as constable for the magistrate in Mullins and Nichols.

SECTION 16. All gas, oil and equipment shall be purchased by competitive bid, and also all other supplies where practicable.

SECTION 17. All county officers of Marion County, if they so desire, are authorized to close their respective offices at five o'clock P. M. All county officers and employees shall be entitled to a half day holiday each week in addition to Sundays and State holidays now being observed, a schedule for such half day holidays to be arranged by the head of each department; *provided*, however, that Deputy Sheriffs shall not be entitled to a half day holiday during the tobacco season except when the same shall be expressly authorized by the Sheriff.

SECTION 18. In order to facilitate the preparing of the County Supply Act by the Legislative Delegation, the County Treasurer shall on or before the first day of February each year, in writing, report to the Legislative Delegation the amount of county funds coming into his hands during the preceding calendar year, giving the source of said funds. He shall further report the disbursements made by him during the preceding calendar year showing the amounts

disbursed on vouchers by the respective boards of the county, certificates or warrants of the Clerk of Court, and interest and principal paid on bonds.

The Superintendent of Education of Marion County shall on or before the first day of February of each year, report to the Legislative Delegation, in writing, a detailed statement of all revenues allotted for school purposes for the preceding school fiscal year and all disbursements made by him for school purposes for the preceding fiscal year. He shall also furnish to the Legislative Delegation on or before February first of each year an estimate of all anticipated revenues for the present school fiscal year, and an estimate of all disbursements for the present school fiscal year. He shall also furnish to the Legislative Delegation an estimate of all revenues to be allotted or received for school purposes for the next school fiscal year, and also an estimate of all disbursements for the next school fiscal year.

SECTION 19. In each of the respective school districts of Marion County, there are created four scholarships for those deserving boys and girls who desire to attend college, and need financial assistance to do so. Each scholarship shall be of the value of two hundred dollars. The scholarships shall be awarded upon the recommendation of the County Board of Education for Marion County by and with the consent of a majority of the Legislative Delegation. The scholarships shall be awarded to the most worthy and needy students, who shall meet such requirements as the County Board may prescribe. These scholarships shall be paid from surplus funds accruing to the Department of Education. *Provided*, however, that in School Districts 3 and 4 there shall be only two scholarships in each district.

SECTION 20. All appropriations herein made and all services thereby provided shall be expended and used only and solely for public purposes as required by law and the use of any county personnel, equipment or labor for private profit and benefit is strictly forbidden. Any officer or employee violating the provisions hereof shall be discharged or removed from employment or office. All authorizations that have been granted and issued by the Marion County Legislative Delegation that have not expired by the terms, conditions and limitations thereof, shall expire and terminate on June 30, 1959.

SECTION 21. All appropriations herein made are subject to the right and authority of the Marion County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one account to another, at any time without notice, when in its judgment such change, alteration, transfer, increase or deduction is necessary for the best interest of the county and to conform with revenue expected during the life of this act.

SECTION 22. The magistrates' constables hereinabove mentioned shall be appointed by their respective magistrates, and they shall be subject to removal by the same authorities at any time without the preference of charges. They shall have full rural police powers throughout the county. They shall regularly patrol their respective territories, and faithfully devote their time and effort to the preservation of peace, good order and detection of and prevention of crime therein. *Provided*, however, that the magistrates' constables shall aid and assist the Sheriff's office in investigating any and all crimes and the enforcement of law in Marion County. For that purpose they shall be subject to the call of the Sheriff of the county at all times, and, when so called, they shall work in cooperation with the Sheriff and under his direction and supervision. Any constable who fails or refuses to faithfully and officially discharge the duties in this respect, shall be deemed guilty of official misconduct and be forthwith removed from office. Constables are being given an increase in salary of twenty-five dollars per month and shall be expected to devote more time to their duties.

SECTION 23. Notwithstanding any provision herein or any act heretofore passed to the contrary, no change, alteration, transfer, increase or deduction in this appropriation act shall be made, save and except upon the recommendation of the Legislative Delegation or a majority thereof.

SECTION 24. All acts or parts of acts inconsistent herewith are repealed.

SECTION 25. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R182, H1279)

No. 476

An Act To Authorize The South Carolina Wildlife Resources Commission To Enter Into An Agreement With The Governing Body Of Marlboro County For The Use Of A Portion Of Lake Wallace For Public Recreation And Swimming Purposes, Upon Condition That Neither The Wildlife Resources Department Nor Marlboro County Shall Be Liable For Any Damage Or Injury That Results From Such Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Wildlife Resources Commission may make agreements with Marlboro County concerning use of Lake Wallace.—The South Carolina Wildlife Resources Commission is hereby authorized to enter into an agreement with the governing body of Marlboro County, allowing the county to use a part or parts of Lake Wallace and adjacent lands, to be designated by the Commission and County Board, for public swimming and recreation areas; *provided*, however, that neither the Wildlife Resources Department nor the county shall be liable for or subject to suit by anyone for any injury or damage incurred from, connected with, or arising out of the use of the areas so designated.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R424, H1613)

No. 477

An Act Relating To The Fiscal Affairs Of Marlboro County And The School Districts Thereof, To Provide A Levy Of Taxes For County Purposes For The Fiscal Year Beginning July 1, 1959, And For The Expenditure Thereof, And To Make Provisions For The Due Payment Of Existing Indebtedness Of Marlboro County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following amounts are appropriated from the general fund of Marlboro County for the purposes herein stated:

Item 1. Salaries and Personal Services:

Sheriff	\$ 4,600.00
Clerical Assistance, Sheriff, Coroner and Magistrate	2,400.00
Contingent Fund, uniform fund and radio fund	1,500.00
Deputy Sheriff (Jailor)	1,560.00
Assistant Jailor	720.00
Treasurer	1,750.00
Assistant to Treasurer	2,400.00
Clerk of Court	1,200.00
Assistant to Clerk of Court	2,400.00
2nd Assistant to Clerk of Court	120.00
Auditor	2,650.00
Assistant to Auditor	2,400.00
Coroner	1,200.00
Supervisor	4,200.00
Car expenses, Supervisor	1,600.00
Clerk of County Highway Commissioners	3,000.00
Attorney—to be appointed by County Delegation	900.00
Supplement of Salary and Office Expense—County Service Officer	2,544.00
Clerk—Judge of Probate's Office	120.00
Supplement of Game Wardens' Salaries	1,500.00
Part-time secretary for Soil Conservation Office	1,000.00
Total Item 1	\$ 39,764.00

Item 2. Law Enforcement and Administration of Justice:

County Judge	\$ 3,600.00
Magistrates:	
McColl	1,200.00
Office Rent, McColl Magistrate	200.00
Office Rent, Blenheim Magistrate	200.00
Bennettsville	2,100.00
Clio	660.00
Brightsville	480.00
Blenheim	600.00
Wallace	480.00
Brownsville	480.00

Provided, all Magistrates in Marlboro County shall be bonded for two hundred and fifty dollars each, except for Magistrate in City of Bennettsville, who shall be bonded for five hundred dollars; Marlboro County paying premiums on said bonds, and it shall be the duty of the Board of Commissioners to audit the Magistrates' books monthly and see that all fines have been turned over to treasurer before pay warrants are drawn.

Jurors and Witnesses, and for other purposes, Bailiffs, Court Attaches to be paid four dollars per day; Jurors and Grand Jurors five dollars per day and mileage	4,000.00
Salaries for Rural Policemen and Deputy Sheriffs	19,340.00
Dieting prisoners	6,000.00
Medical expense for jail	225.00

Total Item 2	\$ 39,565.00
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Item 3. Roads, Bridges, Maintenance and Convicts:

Roads, bridges, tiling, trucks, machinery, maintenance and convicts	\$ 48,000.00
Servicing law enforcement vehicles	4,800.00
Contingent fund to be expended on written direction of the county legislative delegation	2,000.00

Total Item 3	\$ 54,800.00
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Item 4. Funds for Board of Tax Assessors

Total Item 4	\$ 3,000.00
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Item 5. Public Health, Charities and Social Welfare:

Sanitary Officers	\$ 600.00
Health Department	9,979.00
Post Mortems, Inquests and Lunacy	1,200.00
Marlboro County General Hospital to supplement charity aid from Duke Foundation	14,500.00
Marlboro Tuberculosis Association	1,100.00
Library Association	8,020.00
Home and Recreational Center for Aged Negroes of Marlboro County	750.00

Marlboro County U. D. C.	15.00
Battery A 296th Field Artillery	1,000.00
201st Medical Battalion	1,000.00
Mileage for Child Welfare Work	700.00
Salary, Director, Public Welfare	600.00
Emergency Fund and Hospital Fund for Public Welfare	3,540.00
Telephone expenses for Welfare Department ..	600.00
Total Item 5	\$ 43,604.00
 Item 6. Courthouse, Public Buildings, Insurance and Office Supplies:	
Janitor, Courthouse	\$ 2,860.00
Workmen's Compensation Premium	1,000.00
Social Security	3,000.00
Water, lights, fuel, repairs and insurance	18,000.00
Printing, Postage and Stationery	8,500.00
Audit of County Books	2,000.00
For retirement of County Officers, if so much be necessary	4,500.00
Total Item 6	\$ 39,860.00
 Item 7. Miscellaneous Contingent:	
Bonds, County Officers	\$ 1,500.00
Forfeited Land Commission, mileage each way at seven cents per mile	100.00
Demonstration Supplies for Home Agents	125.00
Boys' 4-H Clubs	75.00
Girls' 4-H Clubs	75.00
Negro Boys' 4-H Clubs	75.00
Negro Girls' 4-H Clubs	75.00
County Agent	600.00
Assistant County Agent	300.00
Salaries of Prison Camp Preachers	480.00
Marlboro County Cancer Unit Fund	250.00
Total Item 7	\$ 3,655.00
Grand Total of All Expenditures	\$224,248.00

All funds by this act provided for the Department of Public Welfare in Marlboro County shall be deposited in a bank to the credit of the Department of Public Welfare and disbursed by check signed by the county directors and countersigned by a member of the Board of Public Welfare, to be by the board designated. *Provided*, that the director's salary shall be paid by the county commissioner as is customary in claims against the county.

SECTION 2. The Board of County Highway Commissioners and all other officers of Marlboro County are requested and directed to be economical in the expenditure of all public funds, and to keep the expense below the appropriations when practicable and consistent with public requirements, and no unused appropriated fund shall be carried forward for the particular use in the succeeding year but shall be transferred to the contingent fund provided for in this section. In no case shall the expenditure exceed the appropriation for any purpose; *provided*, that out of the surplus contingent fund is to be paid all necessary expenses for which no specific appropriation was made herein, and for unavoidable expenses in excess of the appropriations for any purpose. All officers, agents and employees of Marlboro County shall contract no debt for any purpose, or expend any sums in excess of the appropriations in this act providing for such specific purpose, and for all violations thereof they, and their bondsmen, shall be jointly and severally liable. Any officer, agent, or employee shall be personally liable for any such debt contracted.

SECTION 3. The operation and management of the machine heretofore purchased by Marlboro County for the writing of the auditor's and treasurer's tax books and receipts shall be the responsibility and obligation of the Auditor of Marlboro County and such clerical help as may be available for such purposes in both, or either, office shall be utilized to this end.

SECTION 4. The sheriff of the county shall have the right whenever he considers such necessary, to call in the county attorney to prosecute before any magistrate in any and all cases; the fee of the county attorney to be approved, and paid, by the county commissioners. The sheriff of the county shall also have the right to call in an attorney to prosecute cases in magistrates' courts for driving under the influence of whiskey.

SECTION 5. The sheriff of the county is hereby directed to so regulate the movement and activities of the rural policemen that all

sections of the county shall enjoy the protection of the law without favor and without neglect.

The protection of all school property is hereby made a special mission of the sheriff and his force. He is particularly directed to so regulate the enforcement of the law as to protect school property from injury, theft and destruction; and to enforce the law against plowing in the roads. The contingent fund and uniform appropriation of one thousand five hundred dollars, hereinabove made, shall be expended by the Sheriff of Marlboro County for the enforcement of law and purchase of uniforms for county officers.

SECTION 6. The County Board of Highway Commissioners of Marlboro County is hereby declared to be the sole financial and purchasing agent of Marlboro County, and when any officer or board of the county desires new equipment or supplies, or replacement, or extraordinary service in connection with his or their office, or desires that any expenditure be made, or expense be incurred in regard to his or their office, whether specifically appropriated in this act or not, or desires to make any purchase or incur any expense, he shall file his request for same, in writing, with the county board of highway commissioners, who shall make such purchase in accordance with provisions herein made. No office or board shall have any authority to make contracts of purchase or incur other obligations in the name of the county except as authorized by law, and no contracts made except as herein provided, shall be valid to bind the county.

SECTION 7. The appropriation of fourteen thousand five hundred dollars for the treatment in the Marlboro County General Hospital of deserving charity patients, whose condition demands hospital treatment, is made subject to the following conditions: that no deserving charity patient as above described shall be turned away as long as there are facilities and room in the hospital; that there shall be no charge for professional services to such patient, and no charge whatsoever except the daily expense of eleven dollars and sixty-six cents per patient. *Provided*, that the funds shall be available for use of the Marlboro County General Hospital only upon itemized statements of the actual days spent in the hospital by charity patients, signed by each patient individually and certified by the hospital management, said statement being presented to the board of county commissioners at their regular monthly meetings. The Duke Foundation payment for charity work of one dollar per day is to be deducted from the amount of twelve dollars and sixty-six cents, leaving eleven dollars

and sixty-six cents per charity patient to be paid by the county. These conditions and provisions are to be interpreted and enforced as meaning that when the Duke Endowment gives one dollar for charity work, the county will give eleven dollars and sixty-six cents, not to exceed in total amount the sum of fourteen thousand five hundred dollars for the year 1959-1960. County funds shall be available only to match in this way funds coming from the Duke Foundation for charity beds, and shall be paid only in cases approved as charity cases by the Duke Foundation. The board of county commissioners is authorized and directed to prepare and have printed for use by the patient and hospital management, forms and blanks for making the above-mentioned certified statements. *Provided*, further, that the charity patients herein referred to must be citizens of Marlboro County.

SECTION 8. The sheriff shall be allowed one dollar per day per prisoner for feeding prisoners, but no payment beyond the total sum of six thousand dollars is to be made.

SECTION 9. The janitor of the courthouse shall be hired by the supervisor.

SECTION 10. The county commissioners shall receive as pay for their services the sum of ten dollars for each day actually engaged on official duty and mileage at the rate of seven cents per mile actually traveled. All are to be paid from the contingent fund.

SECTION 11. The sheriff's stenographer shall also be available and provide such services as may be necessary for the Magistrates and the Coroner of Marlboro County. The coroner is authorized and directed to have the stenographer take down stenographically all testimony at inquests held in the county; and at such inquests the coroner shall swear and examine every eyewitness. The stenographer shall make an original and one copy of the testimony taken at such inquest, and he or she shall sign and deliver the original to the coroner, and one copy to the solicitor.

SECTION 12. The sheriff is authorized to sell all materials, supplies or other property seized or confiscated by him or his officers, where not prohibited by law, and the proceeds shall be turned over to the sheriff's contingent fund to be used for ordinary purposes of his office.

SECTION 13. The board of commissioners shall publish once each month in some newspaper published in Marlboro County an itemized

statement of all expenditures of county funds, contract for publishing the same to be let to the newspaper making the lowest bid.

SECTION 14. The county supervisor shall be the executive head of the county board of highway commissioners; but each member of the board of county highway commissioners shall have equal authority and the board shall at each monthly meeting provide for and set out generally the work to be done the following month on the county road system.

SECTION 15. The county commissioners are hereby authorized and empowered to borrow money for county purposes in anticipation of collection of taxes and to pledge said taxes when collected as well as the full faith and credit of Marlboro County for its repayment, upon the written approval of the Legislative Delegation. No amount shall be borrowed in excess of anticipated taxes.

SECTION 16. The funds appropriated and set aside in this act shall be used only for the purposes set forth herein. In the event funds are used for items for which they were not appropriated, all officers, agents or employees who take part in or have anything whatsoever to do with the transfer or use of said funds shall be deemed guilty of malfeasance in office and subject to removal at once by the Governor of the State of South Carolina, or by the proper officials of Marlboro County. Monies may be transferred from any account, item, or county fund to any other account, item or county fund upon the written direction and approval of the Legislative Delegation.

SECTION 17. The Board of Commissioners of Marlboro County shall have no authority to make donations for any purpose.

SECTION 18. At least fifteen hundred dollars of the six thousand six hundred twenty dollars appropriated to Library Association in Item 4 hereof, shall only be used by such association for necessary expense in operating a circulating library over the county.

SECTION 19. In order to raise the funds herein appropriated or authorized to be spent, not provided otherwise by law, the county auditor is authorized and directed to levy ten mills upon all taxable property in Marlboro County.

SECTION 20. Any unexpended funds now in, or hereinafter due to, the Courthouse Fund shall be transferred by the Treasurer of Marlboro County to the County General Fund.

SECTION 21. Funds of the Marlboro County Hospital and Health Center Fund may be used only upon the written authorization of the Legislative Delegation from Marlboro County. All or any part of such fund may be so transferred to appropriations for Marlboro County Hospital, or for other uses of the hospital, as herein provided or otherwise.

SECTION 22. Repairs and service to sheriff's radios and radio equipment shall be paid out of the sheriff's contingent fund.

SECTION 23. All funds herein provided for Marlboro County Health Department may be used only upon written authorization of the Legislative Delegation from Marlboro County.

SECTION 24. The appropriation herein made for Salaries for Rural Policemen and Deputy Sheriffs shall be allocated by and in the discretion of the Sheriff of Marlboro County among the deputy sheriffs and rural policemen.

SECTION 25. All acts or parts of acts inconsistent herewith are repealed.

SECTION 26. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R118, S61)

No. 478

An Act To Confirm And Approve A Certain Grant Of Right Of Way By The County Board Of Commissioners Of Newberry County To The State Highway Department.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Right of way granted to Highway Department by Newberry County, confirmed.—That certain grant of right of way made by the County Board of Commissioners of Newberry County to the State Highway Department, its successors and assigns, on April 15, 1958, such right of way being across the properties of Newberry County known as the Newberry County Home property for the construction of interstate highway No. 26, is hereby confirmed and approved.

SECTION 2. Construction expenses not to be borne by Newberry County.—The State Highway Department shall cause the construction of this project without any direct expense to Newberry County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R121, S96)

No. 479

An Act To Repeal Act No. 901 Of The Acts Of 1954, Creating The Office Of County Superintendent Of Buildings And Grounds For Newberry County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 901 of 1954 repealed.—Act No. 901 of the Acts of 1954 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R393, H1552)

No. 480

An Act To Provide For The Levy Of Taxes For Newberry County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following amounts are hereby appropriated for the following purposes for the County of Newberry, for the fiscal year beginning July 1, 1959, and the salaries of officers and employees are fixed as hereinafter stated :

Item 1. For salaries of County Officers to be disbursed as follows:	
Clerk of Court of Common Pleas and General Sessions and Register of Mesne Conveyance . . . \$	4,620.00
Assistant	3,960.00
Clerical Help for Clerk of Court	2,310.00
Sheriff	4,950.00
Delinquent Tax Collector	3,960.00
Deputy Help for Tax Collector to be expended on authorization of Tax Collector	600.00
Jailor	2,719.20
Extra Help for Jailor	150.00
Assistant Jailor	330.00
Senior Deputy Sheriff	4,039.20
Three Deputy Sheriffs	10,969.20
County Attorney	884.40
County Treasurer	2,376.00
Clerical Help for Treasurer	2,310.00
County Auditor	2,376.00
Clerical Help for Auditor	2,310.00
Joint Clerical Help for Auditor and Treasurer	2,310.00
Probate Judge	4,620.00
Clerical Help for Probate Judge	2,310.00
County Physician	990.00
<i>Provided, that he treats all jail patients, chain gang patients and county home patients.</i>	
Coroner	1,240.80
County Supervisor	4,620.00
Two Commissioners @ \$1,320.00 each	2,640.00
Clerk of County Board	3,960.00
Clerical Help for Board of Commissioners	825.00
Assistant County Agent	600.00
County Agent	528.00
<i>Provided, Clemson College Extension Service reimburses the Assistant County Agent of Newberry County to the amount of four hundred eighty dollars.</i>	
Magistrates as follows:	
District No. 1, Whitmire	1,500.00
District No. 2, Newberry	3,600.00
District No. 3, Prosperity	1,200.00

District No. 4, Pomaria	800.00
District No. 5, Chappells	800.00
District No. 6, Little Mountain	800.00
Constables:	
District No. 1	2,640.00
District No. 2	2,640.00
District No. 3	897.60
District No. 4	686.40
District No. 5	1,108.80
District No. 6	646.80
Hostess for Community Hall	1,320.00
Keeper, Ladies Rest Room	990.00
Keeper, Colored Rest Room	840.00
Newberry County Board of Registration	600.00
<i>Provided</i> , that the Sheriff be allowed the fees for dieting Federal and County prisoners according to the dieting fees allowed by Federal and State authorities; and <i>provided</i> , further, that the Treasurer is hereby authorized to pay all exchange charges by the banks on checks given in payment of taxes. <i>Provided</i> , further, that all monies received by the Treasurer from the State for the County Service Officer shall be paid to the Newberry County Service Officer as salary in twelve equal monthly installments.	
Total, Item 1	\$ 94,577.40
Item 2. Supervisor's Office:	
(a) For current expenses of the County Home and for the paupers and pensioners, for providing a practical nurse for the County Home, and for making needed repairs and additions to the County Home Property, if so much be necessary \$	10,000.00
(b) Chain gang Maintenance	24,000.00
(c) For repairs on public buildings, contingent expenses and supplies:	
(1) Telephone Service	3,450.00
(2) Water and Lights	2,700.00
(3) Fuel	3,500.00
(4) Insurance	2,700.00
(5) Repairs	4,000.00
(6) Janitor Supplies	1,000.00

(d) For Road Maintenance	94,000.00
(e) For purchase of Truck, Repair of Equipment and Machinery, and Cement Pipe	6,000.00
(f) Miscellaneous Contingent Fund	10,000.00
<i>Provided, \$5,000.00 of the above sum shall be spent upon the approval of the Legislative Dele- gation and \$5,000.00 shall be spent upon the ap- proval of the County Board of Commissioners.</i>	
Total Item 2	\$161,350.00
Item 3. For books, stationery, postage, printing and re- binding books and records in the County Court- house, if so much be necessary	\$ 6,300.00
Total Item 3	\$ 6,300.00
Item 4. Miscellaneous and Contingent Expenses to be applied as follows:	
For Hospitalization Fund for Department of Public Welfare	\$ 700.00
Uniforms for four Deputy Sheriffs	600.00
For premium on bonds of county officers, if so much be necessary	850.00
Travel, County Auditor	300.00
Welfare Worker, Travel Expense at seven cents per mile, if so much be necessary	480.00
Stenographer, Home Demonstration Agent's Office	660.00
Stenographer, County Agent's Office	198.00
Postage, Office Incidentals and Demonstration Material for:	
Home Demonstration Agent	150.00
County Agent	100.00
Boys' 4-H Club Work	75.00
Negro Boys' 4-H Club Work	75.00
Girls' 4-H Club Work	75.00
Negro Girls' 4-H Club Work	75.00
For Negro Home Demonstration Agent	864.00
Expenses, Negro Home Demonstration Agent	100.00
Clerical Help for Negro Home Demonstration Agent	900.00

Rent for colored Home Demonstration Agent and County Agent	200.00
Expenses, Negro County Agent	50.00
For printing in County Newspaper itemized quarterly reports of expenditures by the County Board of Commissioners	660.00
For Regional Library	7,800.00
Fuel, Whitmire Public Library	335.00
To S. C. Industrial Commission Workmen's Compensation Act	3,000.00
To S. C. Retirement Fund and Insurance	6,000.00
Social Security	3,750.00
Emergency Relief	1,000.00
Newberry County Girl Scouts	75.00
Newberry County Boy Scouts	75.00
To County Treasurer for handling Documentary Stamps	300.00
For County Audit	1,500.00
County Health Work	6,354.20
For County Artificial Breeding Association	1,000.00
For the purpose of a new automobile and radio for Sheriff's office, if so much be necessary	2,000.00
Expenses of Service Officer	300.00
Travel for Coroner	75.00
Members, County Board of Public Welfare at one hundred ten dollars each	330.00
For maintenance of car radios for Sheriff's office at thirty dollars per month	360.00
Total Item 4	\$ 41,366.20
Item 5. Board of Equalization and Board of Assessors ..	\$ 2,000.00
Total Item 5	\$ 2,000.00
Item 6. For expenses of Court of Common Pleas and General Sessions, if so much be necessary	\$ 5,000.00
Total Item 6	\$ 5,000.00
Item 7. For dieting prisoners @ eighty-five cents per day, if so much be necessary	\$ 5,500.00
Total Item 7	\$ 5,500.00

Item 8. Post Mortems and Lunacy and Coroner's In-	
quests, if so much be necessary	\$ 900.00
Total Item 8	\$ 900.00
Item 9. Company Maintenance Funds, National Guard	
Co. K, 218th Infantry, Whitmire	\$ 600.00
Custodian, Newberry National Guard Armory..	1,200.00
Total Item 9	\$ 1,800.00
Item 10. Official Expense for Deputy Sheriffs to be paid	
in monthly installments of fifteen dollars each ..	\$ 720.00
Total Item 10	\$ 720.00
GRAND TOTAL	\$319,513.60

SECTION 2. All salaries herein provided shall be for the fiscal year 1959-1960 and shall be paid monthly.

SECTION 3. All revenue and income accruing to the County of Newberry in 1959-1960 from other sources than from the taxes herein provided shall be used for meeting the appropriation herein made.

SECTION 4. The county auditor is hereby authorized, empowered, directed and required to levy upon all of the taxable property in the County of Newberry for the year beginning July 1, 1959, after taking into consideration funds accruing to the county from the State and all other sources, a sufficient tax levy to raise a sufficient sum of money to pay interest on the county indebtedness and all appropriations made herein inclusively.

SECTION 5. A special levy of one mill for the year beginning July 1, 1959, is hereby levied and directed to be collected on all real and personal property of Newberry County returned for taxation, for the exclusive purpose of creating a fund for the Newberry County Hospital.

SECTION 6. The Newberry County Legislative Delegation is hereby vested with full power and authority to order an audit during the year 1959-1960 of any and all departments, offices and officers of Newberry County.

SECTION 7. The penalty of three per cent on delinquent taxes shall go to Newberry County, *provided*, however, that the delinquent tax collector of Newberry County and his authorized agents and deputies shall be entitled to the mileage actually traveled and allowed by law for one trip only to each delinquent.

SECTION 8. The Treasurer of Newberry County is hereby authorized and empowered to borrow such money as is necessary to meet the ordinary expenses of Newberry County.

SECTION 9. All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R491, S1733)

No. 481

An Act To Authorize The County Board Of Commissioners Of Newberry County To Issue General Obligation Bonds Of The County In A Sum Not Exceeding One Million Two Hundred Thousand Dollars, The Proceeds Of Which Shall Be Used For Surface Treating And Constructing Roads In The County; To Prescribe The Conditions Under Which The Bonds May Be Issued; And To Provide For Their Payment.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. **Newberry County may issue bonds for farm-to-market roads.**—The County Board of Commissioners of Newberry County may issue and sell general obligation bonds of Newberry County in an amount not to exceed one million two hundred thousand dollars to defray the cost of surface treating and constructing farm-to-market roads in the county.

SECTION 2. **Issue — maturity — redemption — interest — approval of legislative delegation required.**—The bonds shall be issued as a single issue or from time to time in several separate issues. Each issue shall mature serially in successive annual installments of such amounts as may be determined by the board. The maturity date

of any installment of any series shall be not later than ten years from date of issuance. The bonds may contain a provision permitting their redemption prior to their maturity date. They shall bear such rates of interest as the board may determine, payable annually or semiannually, and shall bear such dates and be payable at such places as the board may determine. The bonds may be issued with the privilege of the holder of having them registered as to principal on the books of the county treasurer and the principal thus made payable to the registered holder, unless the last registered holder shall have been to bearer, upon such conditions as the board may prescribe. No bonds shall be issued under the provisions of this act until the issue shall have first been approved by a majority of the county legislative delegation, including the Senator.

SECTION 3. Execution.—The bonds shall be executed in the name of Newberry County by the supervisor and shall be countersigned by the treasurer under such seal as the board shall designate. The coupons appertaining to such bonds need not be authenticated otherwise than by the facsimile signatures of the supervisor and the treasurer lithographed or engraved thereon.

SECTION 4. Sale.—The bonds shall be sold by the board at not less than par and accrued interest to date of delivery at public sale. The form, manner and occasion of the advertisement shall be determined by the board.

SECTION 5. Proceeds.—The proceeds derived from the sale of bonds shall be deposited with the treasurer in a special fund separate and distinct from all other funds. The proceeds shall be applied solely for the purposes for which the bonds are issued except that accrued interest and premiums shall be deposited in the account established by the treasurer for the payment of the principal and interest. The funds shall be expended upon warrants of the board.

SECTION 6. Exempt from taxes.—The bonds, both as to principal and interest, shall be exempt from all State, county, school and municipal taxes.

SECTION 7. Payment.—There is hereby pledged to repay the bonds, issued pursuant to this act, the apportionments of funds accruing to Newberry County under the State Highway Department's farm-to-market construction program and also all Federal funds allocated to Newberry County for secondary roads. The full faith,

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credit and taxing power of Newberry County is hereby pledged for the payment of the bonds and the interest thereon. If for any reason the amounts allocated to the county under the farm-to-market construction program or from Federal funds used for secondary roads are insufficient for the prompt payment of the bonds and interest as they mature, then the auditor of the county shall levy and the treasurer shall collect, annually, a tax upon all the taxable property in the county sufficient to pay the principal and interest on the bonds as they respectively mature.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R21, S48)

No. 482

An Act To Create A Hospital Building Committee For Oconee County And To Provide For The Duties Of The Board Of Commissioners Of Oconee County Relating Thereto.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Hospital Building Committee created for Oconee County—members.—There is hereby created the Hospital Building Committee for Oconee County. The appointment of the members of the committee heretofore appointed by the Legislative Delegation as follows: Ebb Field, Jr., Chairman; M. D. Cleveland; R. L. Keasler; J. H. Murphree; W. L. Norton; Dr. R. K. Nimmons and T. H. Wood, is hereby confirmed.

SECTION 2. Powers and duties.—The committee is hereby empowered: (a) to formulate plans for the construction of a new hospital for Oconee County; (b) to consult with architects, engineers, county officials and citizens of Oconee County; and (c) to advise and make recommendations to the county board of commissioners in all matters pertaining to location, design, employment of architects and engineers, advertising and letting of bids, contracting, equipping, fur-

nishing and any other matters as may be necessary for the construction of a new hospital.

SECTION 3. Board of Commissioners to construct hospital.—

The Board of Commissioners for Oconee County is authorized and directed to construct a hospital for Oconee County in accordance with the recommendations of the committee provided for in this act and to that end shall acquire such property at or near the intersection of U. S. Highway 176 and State Highway 28 in Oconee County, as may be required by the building committee. The board shall employ architects and engineers as recommended by the building committee and shall let contracts for the hospital building after properly advertising for bids. The board shall also construct such walkways on the hospital grounds as are reasonably necessary, shall landscape the grounds and do and perform all other acts as may be necessary pertaining to the construction of a hospital for Oconee County not specifically set forth in this act. All funds appropriated for the construction of the hospital shall be spent only upon the written authorization of the board.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R46, H1015)

No. 483

An Act To Authorize And Empower The County Board Of Commissioners Of Oconee County To Issue Not Exceeding Nine Hundred Thousand Dollars Of Bonds Of Oconee County To Provide Public Hospital Facilities For The County, To Prescribe The Conditions Under Which The Bonds May Be Issued, To Specify The Purposes To Which The Proceeds Shall Be Applied, And To Make Provision For The Payment Of The Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly.—The General Assembly finds that there is a need for public hospital facilities in

Oconee County, which requires an expenditure by Oconee County of nine hundred thousand dollars, and that such funds, with Federal aid made available through the so-called Hill-Burton Act, will be sufficient to enable such facilities to be provided.

SECTION 2. Oconee County may issue bonds.—In order to raise nine hundred thousand dollars the County Board of Commissioners of Oconee County (hereafter called the County Board) shall be empowered to issue and sell general obligation bonds of Oconee County in the principal amount of not exceeding nine hundred thousand dollars.

SECTION 3. Issue — maturity — redemption — interest.—The bonds shall be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successively annual installments of such amounts as may be determined by the County Board. The maturity date of the first installment of any series shall be not later than two years after the date of such series, and the maturity date of the last installment of such series shall be not later than twenty-five years from date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the County Board. They shall bear such rates of interest as the County Board may prescribe, payable semiannually, but the interest cost of any issue shall not exceed five per cent per annum. They shall bear such dates and be payable at such places as the County Board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of Oconee County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the County Board may prescribe.

SECTION 4. Execution.—The bonds shall be executed in the name of Oconee County by the Chairman of the County Board and shall be attested by the Treasurer of Oconee County, under the seal of the County Board. The coupons appertaining to such bonds need not be authenticated otherwise than by the facsimile signatures of the chairman of the County Board and the Treasurer of the County lithographed or engraved thereon.

SECTION 5. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their re-

spective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act shall be published in a newspaper of general circulation in South Carolina. In offering the bonds for sale the County Board may reserve the right to reject any and all bids, but if all bids are rejected, the bonds shall be readvertised for sale in the manner of the original notice. If a second call for bids shall produce results unsatisfactory to the County Board, the County Board shall be empowered to effect a private sale at a price not less than the best bid received on the occasion of the two public offerings.

SECTION 6. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of Oconee County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

- (1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.
- (2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.
- (3) The principal proceeds shall be expended upon the order or warrant of the County Board for:
 - (a) the cost of issuing the bonds; and
 - (b) providing public hospital facilities for Oconee County.

If any moneys shall remain after making the foregoing applications, the same shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of said proceeds to the purposes for which such bonds are issued.

SECTION 7. Payment.—The full faith, credit and taxing power of Oconee County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county, sufficient to pay such principal and interest as the same respectively mature.

SECTION 8. Tax exemptions.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of February, 1959.

(R356, S298)

No. 484

An Act To Provide For The Acquisition And Operation Of Public Hospital Facilities In Oconee County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Oconee County to accept deed from hospital.—The Board of Commissioners of Oconee County is hereby authorized to accept, in the name of the county, a deed, subject to existing restrictions from the present Oconee Memorial Hospital Association, conveying to Oconee County the premises on which the hospital is now situated and such adjoining property as may be required by the county to erect a new hospital.

SECTION 2. To lease property to hospital association—option of renewal—operation of hospital.—The County Board of Commissioners of Oconee County shall lease for the sum of one dollar per year the hospital and its facilities to the Oconee Memorial Hospital Association, subject to such terms and conditions as the County Board of Commissioners of Oconee County may determine. The lease shall be for a period not to exceed fifteen years, with an option to renew the lease not to exceed fifteen years, and if the option is exercised the lease may be renewed not to exceed fifteen additional years. The terms and conditions of the lease shall be designed to offer services to the public of Oconee County and free services, where finances permit, to those unable to pay. The Oconee Memorial Hospital Association shall operate the hospital for the benefit of the citizens of Oconee County and shall agree to operate the hospital and its medical staff under a constitution and bylaws approved by a majority of the Oconee County Legislative Delegation.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R477, H1807)

No. 485

An Act To Provide For The Levy Of Taxes And Make Appropriations In Oconee County For School And County Purposes; To Provide For The Borrowing Of Money In Anticipation Of The Collection Of Taxes; To Make Appropriations And Direct The Expenditure Thereof For The Fiscal Year Beginning July 1, 1959; To Further Define The Powers And Duties Of The County Supervisor And The County Board Of Commissioners; And To Provide For Deficiency Appropriations For Certain Expenditures Made And To Be Made Prior To July 1, 1959.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The Auditor of Oconee County is hereby authorized and directed to levy, with the approval of a majority of the Legislative Delegation, and the Treasurer to collect a sufficient millage on taxable property of Oconee County to meet ordinary county purposes herein appropriated for the year beginning July 1, 1959, and ending June 30, 1960, and a sufficient levy for the payment of any outstanding bonded indebtedness, as well as for the repayment of the \$900,000.00 Hospital Bond issue.

SECTION 2. From the General Fund of the county and the revenue derived under the provisions of Section 1 of this act, the following appropriations are hereby made, to be expended in conformity with the directions herein specified.

Item 1.

A-1. Chain Gang	\$ 24,000.00
A-2. Roads, Bridges, Rock Crusher, labor and replacement parts, trucks and machinery	126,000.00

\$75,000.00 of the above amount shall come from gasoline tax, balance from the General Fund of the county. *Provided*, that \$15,000.00 of the \$126,000.00 is prorated for services and materials used in incorporated towns of Oconee County. Said funds to be prorated between municipal corporations of Oconee County according to the assessed valuation; *provided*, further, no municipal corporation shall receive less than \$800.00 regardless of assessment.

- A-3. Purchase of new equipment, trucks, etc. 10,000.00
 B. Road Bonds and Interest 30,000.00

So much of the gasoline tax fund derived from the one cent gasoline tax received by the county as shall be necessary to repay the principal and interest on road bonds due and payable in the fiscal year 1959-1960 shall be set aside monthly by the Treasurer of Oconee County to anticipate the payment of said principal and interest in the amount listed above.

- C. Paved Roads 60,000.00

Provided, each and every road paved shall be set up by project number, and it shall be the duty of the Supervisor to see that proper records are kept on each project, showing expenditures and to what purposes.

Item 2.

- A. Operation and maintenance of county farm to include salary of steward and matron, and purchases that may become necessary\$ 9,500.00
 B. Construction of Milk Barn 2,000.00

The appropriation made in Item 1 and Item 2 shall be expended as may be necessary by the supervisor and county board of commissioners to the purposes above mentioned in an economical and businesslike manner, and to that end the following procedure shall be observed:

a. The Supervisor and members of the Board of Commissioners are expressly charged with the duty of limiting the expenditures to one-fourth of the annual appropriation in any three-month period, with the exception of Item 1-C., Paved Roads, which shall be limited to a six months' period, and any obligation in excess thereof shall be null and void and shall not be an obligation of the county. Failure to comply with this provision shall constitute negligence of office.

b. All salaries and wages of employees which come under the jurisdiction of the county supervisor, and the salaries and wages which come under the jurisdiction of the county board of commissioners shall be fixed before any such employment may be effective. The supervision of all employees covered by Item 1 and Item 2 shall be the sole responsibility of the supervisor.

c. All purchases of supplies, materials, lumber, gas and oils, and machinery shall be made by the supervisor and board of commissioners after public advertisement for at least ten days or advertisement in two issues of a newspaper published in Oconee County, and purchases shall be made on a basis of economies effected and distribution of contracts among suppliers.

d. Food purchases for Item 1 and Item 2 shall be purchased from wholesale companies in Oconee County where possible.

e. Emergency purchases not to exceed four hundred dollars may be made by the county supervisor without bids and advertisement. *Provided*, that in such cases where machinery or equipment is in need of repair and idle that the same may be repaired by the supervisor without bids.

Item 3. Salaries:

A. Clerk of Court	\$ 4,200.00
1st clerk	3,000.00
2nd clerk	2,800.00
3rd clerk	2,600.00
Office Supplies	5,000.00
B. Treasurer	900.00
Clerical Hire	2,600.00
Office Supplies	1,500.00
C. Auditor	900.00
Clerical Hire	2,400.00
Office Supplies	400.00
D. Supervisor	4,500.00
Clerical Hire	2,400.00
Office Supplies	1,000.00
E. Extra Clerk	2,400.00
(To be used as a floating clerk in the office of the county treasurer and auditor)	
F. Judge of Probate	3,100.00
Clerical Hire	2,600.00
Office Supplies	1,500.00
G. Comptroller	3,800.00
Clerical Hire	2,800.00
Office Supplies	300.00
H. County Physician	800.00
I. County Attorney	800.00

Provided, that additional compensation shall be authorized by the supervisor and county board of commissioners in litigation to be paid from the contingent fund.

J. Coroner	1,000.00
Travel	200.00
Office Supplies	50.00
K. Custodian of courthoue and county offices ...	2,400.00
L. Members board of commissioners (5) @ \$600-.00 each.	
Salary (5) commissioners	3,000.00
Travel (5) commissioners @ \$600.00 each ..	3,000.00
<i>Provided</i> , travel is done in own vehicles at own expense and not in county vehicles.	
M. Tax Collector	3,800.00
Travel	360.00
Clerical Hire	2,400.00
Office Supplies	200.00
N. Law Enforcement	
Sheriff's Salary	4,200.00
Chief Deputy Sheriff, salary	3,000.00
7 Deputies @ \$2,800.00 each	19,600.00
Uniforms, Sheriff and Deputies, (9) @ \$100.00 each	900.00
<i>Provided</i> , that uniforms shall be purchased by the Sheriff's Department and shall be signed for and shall remain the property of Oconee County.	
<i>Provided</i> , further, that within one year after the employment of any Deputy Sheriff, he must attend and graduate from the Law Enforcement School for Officers.	
Clerical Hire	2,400.00
Janitor—2 @ \$1,700.00 each	3,400.00
Industrial Constables	1,800.00
Sheriff's travel expense	1,000.00
Deputy Sheriffs' travel—8 @ \$800.00 each ...	6,400.00
Office Supplies	500.00
O. Magistrates:	
Seneca	1,000.00
Walhalla	1,000.00

Westminster	1,000.00
Salem	600.00
Oakway	600.00
Office Supplies	100.00
P. Miscellaneous:	
Home Demonstration Stenographer supplement	1,400.00
Farm Agent Stenographer supplement	940.00
Clerical Assistant to Probation Officer	700.00
Office Supplies—Probation Officer	50.00
Q. Assistant Solicitor	1,440.00
<i>Provided</i> , this sum to be paid only if Anderson County pays its proportionate share of the Assistant Solicitor's salary.	
Item 4. Boards:	
A. Board of Tax Appeals	\$ 300.00
Board of Assessors to be paid from the General Contingent Fund with the approval of the Delegation.	
B. Registration Board	300.00
C. Sinking Fund Commission, 3 members @ \$50-.00 each	150.00
Item 5. Contributions:	
A. Supplies and telephone, Home Demonstration Agent	\$ 200.00
B. Supplies, Farm Agent	100.00
C. Boys' 4-H Club Work	100.00
D. Girls' 4-H Club Work	100.00
E. Future Farmers Chapter	100.00
F. Junior Home Makers Chapter	100.00
G. Maintenance 4-H Club Center	300.00
H. Travel for 2 fire wardens @ \$500.00 each	1,000.00
Item 6. Capital expense	\$ 5,000.00
Purchase and repair of automobiles for sheriff and deputies; <i>provided</i> , one new car is purchased each year.	
Item 7. Oconee County Library Commission	\$ 16,772.41
Item 8. Court expense	\$ 10,000.00
A. <i>Provided</i> , petit jurors and grand jurors shall be paid seven dollars per day, and witnesses one dollar per day in actual attendance.	

- B. Magistrate and coroner jurors shall be paid one dollar per day.
- Item 9. Operating of jail, including feeding prisoners. . \$ 5,000.00
(Upon presentation of itemized and notarized claims.)
- Item 10. Public Welfare:
- A. Emergency Relief \$ 5,500.00
Provided, that no more than fifty per cent shall be expended in any one quarter. *Provided*, further, that no more than fifty per cent shall be expended in six months.
- B. Board of Public Welfare, 3 members @ \$60.00 each 180.00
- C. Travel for Child Welfare Worker 600.00
- Item 11. Lunacy and Inquest \$ 600.00
- Item 12. Public Buildings \$ 10,000.00
- Item 13. Books, printing, postage, etc., as specified in Office Supplies. *Provided*, that no office equipment shall be purchased with these funds.
- Item 14. Bond premiums and insurance \$ 6,500.00
- Item 15. Telephone Account \$ 3,000.00
Provided, a monthly itemized statement shall be rendered showing the necessity for each long distance toll charge.
- Item 16. County Health Unit \$ 9,000.00
- Item 17. County Planning Board \$ 7,500.00
- Item 18. County Service Office, county's part \$ 2,900.00
- Item 19. County Hospital \$ 20,000.00
Provided, that if Federal-State funds for charity patients are received this amount shall be reduced by the amount received therefrom.
- Item 20. Contingent Fund \$ 10,000.00
Provided, that said fund shall be expended only upon the written approval of a majority of the Legislative Delegation.
- Item 21. General Contingent \$ 7,500.00
Provided, that rentals, magistrates' telephones and miscellaneous obligations, including an annual audit of books and records of Oconee County shall be paid therefrom.

Item 22. National Defense:

Seneca Unit	\$ 1,000.00
Clemson Unit	300.00

Item 23. Retirement and Social Security, county's part..\$ 11,000.00

Item 24. Sheriff's Travel \$ 1,500.00 |

The Sheriff or his deputies when on necessary official duty beyond the limits of the county, shall be paid five cents per mile from and back to the county line, and actual expenses, not to exceed three dollars and fifty cents per day. Before being paid, he shall present itemized and notarized vouchers for mileage and receipted bills for expenses.

Item 25. Artificial Insemination Program \$ 2,500.00 |

Provided, this fund shall be disbursed upon approval of the Board of Directors of the Oconee County Artificial Insemination Organization.

Item 26. Soil Conservation \$ 2,000.00 |

Provided, that such funds shall be used only in the maintenance and operation of The Coneross Watershed project.

Item 27. Police Annuity \$ 5,000.00 |

GRAND TOTAL, ALL EXPENDITURES \$528,342.41

Estimated Revenue Other Than Taxes:

Gasoline Tax	\$110,000.00
Alcoholic Liquor Tax	26,000.00
Beer and Wine Tax	8,000.00
Bank Tax	2,500.00
Insurance License Fees	11,000.00
Income Tax	44,000.00
National Forest Fund	20,000.00
Magistrate Fines	28,000.00
Judge of Probate, fees	2,500.00
Clerk of Court	20,000.00
Other fees and forfeitures	3,000.00

TOTAL \$275,000.00 |Amount to be raised by taxes \$253,342.41 |

SECTION 3. The board of commissioners shall include the supervisor wherever the term board of commissioners is used in the supply act.

SECTION 4. The Auditor of Oconee County is hereby authorized to levy, with the approval of the majority of the Legislative Delegation, and the Treasurer to collect, a sufficient millage on taxable property of Oconee County to meet the school appropriation for the fiscal year beginning July 1, 1959, and ending June 30, 1960.

SCHOOL DEPARTMENT

ADMINISTRATIVE:

Operation of Superintendent of Education's office. . \$ 19,400.00

SCHOOL OPERATION:

Insurance: Fire, Boiler, Workmen's Compensation, other	\$ 16,453.19
Supplements to High School Superintendents.....	26,469.60
Supplements to Principals and Heads of Schools..	22,450.00
Supplements to Teachers, including Vocational, 15% on 57-58 salaries	112,640.55
3 off-Enrollment Teachers' salaries @ \$2,600.00...	7,800.00
Vocational Education, including travel	32,000.00
Homebound Program, Salary and Travel	2,500.00
Athletic Allowances	20,000.00
Assistants' Allowances	13,500.00
Music Allowances	8,100.00
Sick Leave for Teachers	5,000.00
School Budgets:	
6000 Elem. pupils @ \$12	78,000.00
3570 High School pupils @ \$25	89,250.00
Emergency Allocations to School budgets	3,200.00
Emergency Fund (School Needs)	6,000.00
Auxiliary Funds for New Buildings	29,186.37
Expended Balance in School Budgets	3,000.00
Transportation Expense: Supplement to 3 Adult Bus Drivers	405.00

GENERAL INCIDENTAL EXPENSE:

School Equipment	\$ 5,000.00
Unbudgeted Expenditures: Sites, items to be reimbursed from Public School Building Fund; items to be reimbursed from schools over two-year period	5,000.00

(lab. equip.); and payment on payroll machine to be reimbursed by administrative budget.	
Building Improvements and Additions	15,000.00
Interest on Borrowed Money	3,000.00
Convention and Miscellaneous Expenses	4,000.00

Totals, School Operation	\$507,954.71
Plus Administrative Expense	19,400.00

GRAND TOTAL, ADMINISTRATIVE AND
SCHOOL OPERATION EXPENSES\$527,354.71

SECTION 5. The Auditor of Oconee County is hereby directed to prepare a tax return for each automobile in Oconee County as reported by the South Carolina Highway Department from vehicle registration. The Auditor, Treasurer and Tax Collector of Oconee County are further enjoined to adopt such procedures and methods as shall assist the taxpayers and South Carolina Highway Department in complying with the acts of the General Assembly providing for the payment of property tax on motor vehicles before issuance of registration and license by the South Carolina Highway Department.

SECTION 6. The tax collector shall assist the auditor wherever possible in returning any property for taxation not otherwise returned or where individuals or firms have failed to make returns.

SECTION 7. No fund shall be transferred from one account to another without the written consent of the Oconee County Legislative Delegation. The Legislative Delegation is hereby empowered to transfer from the General Fund, or any fund of the county, and supplement any appropriation herein made, and the treasurer, the board of commissioners, and comptroller of the county shall honor such transfers and comply with the terms thereof.

SECTION 8. The board of commissioners shall see that proper records are kept of the chain gang, showing all expenditures and for what purposes, also the number of convicts of the chain gang each day, number received and dismissed, with their names, also kind of work being done by convicts. It shall be the duty of the board of commissioners to see that proper records are kept of all the operations of the county farm, showing all expenditures and receipts, total num-

ber of acres being farmed and the market value of all commodities produced. The board of commissioners is hereby requested to inspect all county buildings, including county home, jail and chain gang each month to see that they are kept in a clean and sanitary condition. The board of commissioners shall inspect all highway construction and see that all work is being done properly. It shall be the duty of the board of commissioners to keep a complete record (pertaining to Item 1, A-2) showing allocations to each incorporated town, expenditures and to what purpose.

SECTION 9. The supervisor shall furnish to the board of commissioners an accurate inventory of all supplies and materials and parts. Such inventory to be made on the first day of each month. The board of commissioners shall use such inventory as a guide for purchasing.

SECTION 10. All past transfers of funds by order of the members of the previous and present Legislative Delegation are hereby validated and confirmed.

SECTION 11. The Treasurer and Board of Commissioners of Oconee County are hereby authorized and empowered, if need be, to borrow in the name of the county an amount not to exceed fifty per cent of the appropriation herein made, and in anticipation of the collection of taxes to meet the operating expenses of the county for the current fiscal year July 1, 1959, to June 30, 1960, and to execute obligations in the name of the county for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligation shall be executed by the county treasurer and the board of commissioners. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any and all bids made therefor.

SECTION 12. The treasurer, upon written request of the County Board of Education, is hereby empowered and authorized, if need be, to borrow in the name of the schools an amount not to exceed fifty per cent of the appropriation herein made and in anticipation of the collection of taxes to meet the operating expenses of the schools for the current fiscal year July 1, 1959, to June 30, 1960, and to

execute obligations in the name of the schools for the sum so borrowed, which shall bear the lowest rate of interest possible. The taxes levied to meet the appropriations of this act shall be pledged to secure payment of the sum so borrowed, with interest thereon, and such obligations shall be executed by the county treasurer and County Board of Education. Each bank in Oconee County shall be allowed to submit a bid for the total or any portion of the amounts herein authorized to be borrowed; and the officers are empowered to reject any or all bids made therefor.

SECTION 13. The treasurer, upon written request of the County Board of Education, is hereby authorized and empowered, if need be, to transfer to school transportation account and to school teacher salary account, from the General Fund of the county, not to exceed fifty per cent of the appropriation herein made, in anticipation of the collection of taxes to meet the operating expenses of the schools. Upon the collection of the taxes levied for the operation of schools, the sums so transferred shall be refunded to the General Fund of the county.

SECTION 13-A. The treasurer, upon written request of the county board of commissioners, is hereby authorized and empowered, if need be, to transfer to the General Fund of the county school funds, not to exceed fifty per cent of the appropriation herein made in the anticipation of the collection of taxes to meet the operating expenses of the county. Upon collection of the taxes levied for ordinary county purposes, the sums so transferred shall be refunded to the school fund of the county.

SECTION 14. The county superintendent of education, or officer designated by the board of trustees, is authorized to approve claims for teachers' salaries and transportation, and the Treasurer of Oconee County is authorized to pay same from any school fund in anticipation of the receipts of monthly State aid and transportation; *provided*, such claims do not exceed fifty per cent of anticipated monthly State aid and transportation; and *provided*, such payments do not exceed fifty per cent of the total amount of school funds on deposit in the banks of Oconee County.

SECTION 15. Before purchase or contracting for the purchase of any equipment, materials, supplies, goods, wares, merchandise, services or anything whatsoever needed and used for county purposes,

such department head or heads, not to include the superintendent of education, shall make requisition by order or voucher to the county comptroller's officer whereupon it must be certified as to the availability of funds before any purchase is made. Petty cash funds are hereby authorized if such be necessary to carry out this section.

SECTION 16. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside of the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 17. All claims for supplies and services furnished to the county during any calendar month shall be paid on the sixth day of each month. If this date should fall on a holiday, claims will be paid the following day. Should the sixth day of the month fall on Saturday or Sunday, claims will be paid the following Monday. All claims against the county must be passed on by the comptroller as to the availability of the funds for the payment of same. The county comptroller and the board of commissioners shall at all times maintain in their respective offices a list of all claims paid during the preceding month, showing the payee and the amount, and said records shall at all times be subject to public inspection.

SECTION 18. The appropriation herein made shall not be exceeded and any officer incurring indebtedness on the part of the county in excess of the appropriation herein made shall be liable upon his official bond therefor. Any claims presented to the county for payment and remaining unpaid after the monthly meetings of the board of commissioners shall be listed by the clerk and reported to the treasurer and comptroller within ten days. If no claims remain unpaid, the clerk shall so report.

SECTION 19. No employee of the county shall sell any services, or materials, or hold any office that shall conflict with the hours for which they receive pay from the county or in performance of their official duties, except that a Department or Agency may at its own discretion grant a leave of absence for the period of such conflict. *Provided*, in case of such a leave of absence the Department grant-

ing the leave of absence shall employ a qualified substitute for the duration of the leave of absence.

SECTION 20. All recipients of county funds who are not a part of the county government, namely: Farm Agent; Home Agent; Boys' 4-H Club; Girls' 4-H Club; Future Farmers; Junior Homemakers Club; Oconee Hospital; Planning Board; Artificial Insemination; National Defense; Clemson and Seneca Units; and Soil Conservation Board, shall furnish an itemized statement of the money spent from the appropriation to that organization. This statement shall be filed with the county board of commissioners and delegation no later than thirty days following the end of the fiscal year.

SECTION 21. Salaries for ordinary clerical employment shall be based on the following schedule:

Beginning or probationary period	\$ 2,200.00
After six months service	2,400.00
After 2 years service	2,600.00
After 5 years service	2,800.00

The above is based on service as of the beginning of each fiscal year. The term service shall mean continuous employment except upon official leave of absence granted by the Department head.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R122, S129)

No. 486

An Act To appropriate From The General Fund Of Orangeburg County Not Exceeding Twenty-five Hundred Dollars To Defray The Expenses Of A Survey Of The Mineral Resources And Of The Adaptability Of The County For The Location Of Industrial Enterprises.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Orangeburg County—appropriation for survey of mineral resources.—In order to provide for a survey of the mineral resources of Orangeburg County and to determine the adaptability of the county for the location of industrial enterprises, there is hereby appropriated from the General Fund of the county the sum of twenty-five hundred dollars. This appropriation, or so much thereof as may be necessary, shall be expended by and with the approval of the Orangeburg County Planning and Development Commission.

The Commission is given authority to expend any part of the appropriation in conjunction with or to supplement any sum which may be available from the State Development Board, or any other agency of government, whose purpose is to further the objects hereby sought to be accomplished. Expenditures of this appropriation shall be made by warrants drawn against this fund by the Orangeburg County Highway Commission on approved statements presented to it by the Orangeburg County Planning and Development Commission.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R145, H1320)

No. 487

An Act To Make Additional Appropriations For Roads And Bridges Under Section 1 Of The 1958-59 Appropriation Act For Orangeburg County, So As To Provide For The Purchase Of Road Machinery, Machinery Parts And Forms For Pipe Plant.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. In addition to the appropriations made in Section 1 of Act No. 1158 of the Acts of 1958, providing for the operation of Orangeburg County, there is hereby appropriated from the General Fund of the County, if so much be necessary, the following sums:

For the purchase of Motor Grader to replace one
wrecked in train collision\$ 13,379.70

For purchase of heavy equipment truck and trailer	5,500.00
For purchase of 200 sets grader blades from State Highway Department in order to obtain a year's supply at a favorable price	2,206.10
For forms for Pipe Plant	2,000.00
Total	\$ 23,085.80

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R154, H1076)

No. 488

An Act To Authorize The Closing Of The 90th Block Of Walnut Street In The Town Of Springfield In Orangeburg County.

Whereas, the Trustees of School District No. 1 of Orangeburg County desire for the 90th block of Walnut Street to be permanently closed to all traffic, vehicular and otherwise, which portion of Walnut Street is located in the Town of Springfield in Orangeburg County; and

Whereas, the closing of this portion of Walnut Street will facilitate the placement of a new elementary school building thereby promoting the health and safety of pupils and all concerned. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Town of Springfield—90th block of Walnut Street closed.—The 90th block of Walnut Street, running north and south between the Springfield High and Elementary School grounds is closed permanently to all traffic, vehicular and otherwise.

SECTION 2. Title to property.—The fee simple title to the 90th block of Walnut Street between Springfield High School and Springfield Elementary School shall vest in the Trustees of School District No. 1 of Orangeburg County.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R300, S263)

No. 489

An Act To Authorize The Norway Public Service Commission Of The Town Of Norway To Borrow Six Thousand Dollars From The Norway Branch Of The Bank Of Orangeburg For Public Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Norway Public Service Commission may borrow money.—The Norway Public Service Commission of the Town of Norway is authorized to borrow from the Norway Branch of the Bank of Orangeburg the sum of six thousand dollars, with interest at a rate not exceeding five per cent per annum, and to execute and deliver to the bank a note or notes payable in such installments as the commission and the bank agree upon; *provided*, that the last installment shall mature not later than five years from the date the loan is made. The commission is authorized to pledge any income or revenue accruing to it to secure the payment of any obligation herein authorized to be made. *Provided*, further, that no debt shall be incurred under this act unless the Town Council of the Town of Norway adopts a resolution approving the loan and the conditions and terms under which it is made. The proceeds of any loan made under this act shall be expended for the repairs and construction of any public utility or service under the control and management of the Norway Public Service Commission.

SECTION 2. Repeal.—All Acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R327, H1662)

No. 490

An Act To Make Certain Supplemental Appropriations For Public Purposes From The General Fund Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the General Fund of Orangeburg County the sum of twenty-five thousand dollars, if so much be necessary, to be used in conjunction with other funds as hereinafter provided, for the expansion and improvement of the airport near the City of Orangeburg, S. C., known as the Jennings Airport.

This appropriation is conditioned upon the City of Orangeburg providing a like sum of twenty-five thousand dollars, and the sum of not less than fifty thousand dollars being obtained from the Federal Government or some agency thereof, or from the State, which sums shall be used in conjunction with the sum appropriated by this act for the purposes mentioned above.

This appropriation shall only be expended under the terms of a contract made between the Orangeburg County Highway Commission and the authorities who own and operate the Jennings Airport, which shall be approved as to form and execution by the Orangeburg County Attorney.

SECTION 2. There is also appropriated from the General Fund of Orangeburg County the sum of fourteen thousand two hundred dollars, to be used for the renovation, repair and improvement of the hog barn situate on the Orangeburg County Fair Grounds. *Provided*, that before any portion of this appropriation is expended, the Orangeburg County Fair Association shall execute and deliver to Orangeburg County a lease or agreement to be approved by the County Attorney granting to the County, or any party or livestock association designated by the County Director the right to use the barn for a period of fifty years from the date of the approval of this act. The agreement shall also provide that the Fair Association will maintain the barn and make no charge for the use of the barn by the County, or by any party or livestock association designated by the County Director. By accepting this appropriation the Association reaffirms its agreement as set forth in Act No. 629 of the Acts of 1949, and agrees that the conditions set forth in the Act of 1949 shall apply to the terms of the lease as herein fixed.

SECTION 3. All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R357, S301)

No. 491

An Act To Validate The Acts Of Solomon Melville Smith In Disbursing Public Funds Of Orangeburg County And Performing Other Duties Of The County Treasurer, Between The Dates February 1, 1959 And March 30, 1959, The Latter Being The Date On Which He Was Commissioned Deputy Treasurer Of Orangeburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Actions of S. M. Smith on behalf of Orangeburg County Treasurer validated.—The acts of Solomon Melville Smith in disbursing public funds of Orangeburg County and in performing other duties of the County Treasurer of Orangeburg County, made necessary by the illness of the Treasurer, between the dates February 1, 1959 and March 30, 1959, the latter being the date on which he was commissioned Deputy Treasurer of Orangeburg County, are hereby ratified and validated and declared to be as binding as if he had been vested with the powers of Deputy Treasurer on and from February 1, 1959, instead of March 30, 1959.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R396, H1604)

No. 492

**An Act To Provide For The Operation Of Orangeburg County
-And The Welfare Of Its People During The Period From July 1,
1959, To June 30, 1960; To Direct County Activities; And To
Levy Taxes For School Purposes And To Regulate Expenditures
Of School And County Funds During The Period.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. For all county purposes and for the operation of Orangeburg County during the period beginning July 1, 1959, and ending June 30, 1960, the amounts stated herein are hereby appropriated; and there is hereby levied for the fiscal year 1959-1960 eight mills on all property in the county which, with other revenues accruing to the ordinary county fund, shall be used to pay amounts appropriated as follows:

Roads and Bridges:

1. Maintenance of chain gang, purchase of material,
equipment and expense of maintenance of roads,
bridges, public works and operation of pipe plant \$141,200.00

Total, Roads and Bridges \$141,200.00

County Highway Commission:

- 4-A. Salary, Members of Highway Commission \$ 5,000.00
4-B. Salary, Clerk of Highway Commission 2,880.00
4-C. Salary, County Attorney 1,200.00

Provided, that the salary shall cover all services rendered against the county except in actions in Tort against the county.

Provided, further, that no other attorney shall be employed except with the approval of the county legislative delegation.

- 4-D. Salary, County Director 7,200.00
4-E. Extra Clerical Help, Highway Commission 1,200.00

Total, County Highway Commission \$ 17,480.00

County Treasurer:

- 10-A. County's portion, salary, County Treasurer \$ 3,300.00
Provided, that the county shall pay so much as will make his salary from county and state total \$6,300.00.

10-B. Salary, Deputy, County Treasurer	4,800.00
10-C. Clerical Help, Treasurer's Office	3,000.00

Total, County Treasurer's Office \$ 11,100.00

County Auditor :

15-A. County's portion, salary, County Auditor	\$ 3,300.00
<i>Provided</i> , that the county shall pay so much as will make his salary from the county and state total \$6,300.00.	
15-B. Salary, Deputy Auditor	4,400.00
15-C. Clerical Help, Auditor's Office	3,300.00
15-D. Traveling expenses, County Auditor	100.00
15-E. Auditor's Equalization Fund	1,008.00

Total, County Auditor \$ 12,108.00

Clerk of Court :

25-A. Salary, Clerk of Court	\$ 6,300.00
25-B. Salary, Deputy Clerk of Court	4,400.00
25-C. Salary, Clerks, Clerk of Court	3,466.66
25-D. Recording Clerk in Office of Clerk of Court ...	2,666.66

Total, Clerk of Court \$ 16,833.32

Education Department :

30-A. Superintendent of Education, office expense ...	\$ 600.00
30-B. Salary, Clerks to Superintendent of Education..	4,800.00
30-C. Supplement, County Lunch Room Supervisor ..	650.00
30-D. Superintendent of Education, County's portion of salary	2,175.00
<i>Provided</i> , that only so much shall be paid as to make a total salary from county and state of \$6,300.00.	
30-E. Travel, Superintendent of Education	630.00
30-F. Per diem and travel, members County Board of Education	4,000.00
30-G. Travel, Attendance Teacher	300.00
30-H. Secretary to County Lunch Room Supervisor..	1,920.00
31. Transporting and guarding school buses and Driver School expense	350.00

32-A. Eye treatment and glasses, needy school children, to be spent under supervision of Attendance Teacher	300.00
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Total, Education Department\$ 15,725.00

Library Department :

34-A. Salary, Librarian	\$ 3,600.00
34-B. Salary, Assistant Librarian	2,340.00
34-C. Salary, Assistant Librarian	2,000.00
34-D. Salary, Bookmobile Librarian	2,220.00
34-E. Salary, Bookmobile Driver (Part Time)	1,350.00
34-F. Salary, Desk Assistants (Main Library)	2,640.00
35-H. Salary, Librarian (Branch Library)	2,000.00
35-I. Salary, Assistant Librarian (Branch Library) ..	1,350.00
35-J. Salary, Bookmobile Driver (Branch Library— part time)	900.00
35-K. Salary, Custodian Holly Hill Library	350.00
35-L. Salary, Custodian Elloree Library	350.00
35-M. Books and Periodicals	2,500.00
35-N. Supplies and Binding Expense	1,000.00
35-O. Travel Library Commission	250.00
35-P. Bookmobile operation expense	700.00
35-Q. Miscellaneous Expenses	1,200.00
35-S. Travel, Librarian	300.00

Total, Library Department\$ 25,050.00

Provided, that all funds appropriated herein for Items 30-A through 35-S are appropriated directly to the Orangeburg County Board of Education to be expended and disbursed by the board in accordance with the provisions of this act; *provided, further*, that any funds donated by the South Carolina Library Board shall be used for the purchase of books, and any funds donated by the City of Orangeburg, or otherwise received, shall be used for miscellaneous expenses; *provided, further*, that appropriation for miscellaneous expenses provided under 35-Q may be used for telephone, telegraph, furniture and equipment, insurance, water and lights, heating, re-

pairs, post office box rent and association meetings and dues; *provided*, further, that the County Director shall do the purchasing for the library and branch library except books, literature and minor items for the use in the maintenance thereof; *provided*, further, that an itemized account of all receipts and disbursements of funds received other than from Orangeburg County shall be filed quarterly with the Orangeburg County Board of Education. *Provided*, further, that the sums set out hereinabove may be transferred by the County Board of Education to other designated items upon the written approval of the majority of the Orangeburg County Legislative Delegation.

Law Enforcement:

40-A. Salary, Sheriff	\$ 6,300.00
40-B. Expense in and outside of county	1,800.00
40-D. Clerk and Bookkeeper to Sheriff	2,400.00
43-A. Salary, Jailor	2,400.00
43-B. Dieting Prisoners	6,000.00
<i>Provided</i> , that the Sheriff shall be allowed one dollar per day for dieting each prisoner; <i>provided</i> , however, that the day of admittance shall be excluded, and the day of discharge included in computing the number of prisoner days.	
43-C. Jail equipment, repairs, heating and miscellaneous expense	1,500.00
46-B. Salary, eight Deputies @ \$3,600	28,800.00
46-C. Salary, Chief Deputy Sheriff	4,100.00
46-D. Travel, nine Deputy Sheriffs @ \$1,800 each...	16,200.00

Provided, that the County Treasurer is authorized to pay from 43-B claims of outside deputy sheriffs for feeding prisoners kept in their custody between the time of their arrests and transfer to jail or discharge. The per diem allowed the Sheriff shall be followed and each claim shall be itemized and approved by the magistrate in whose jurisdiction the arrest was made.

46-E. Purchase of uniforms and Law Enforcement equipment	1,800.00
46-F. Radio maintenance	1,500.00
46-G. Radio Operator	1,500.00

Total, Law Enforcement\$ 74,300.00

Judicial Department:

50-A. Court Expense	\$ 10,000.00
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Provided, the court bailiffs shall receive five dollars per day; *provided*, the chief bailiff, to be designated by the Sheriff, shall receive six dollars per day. *Provided*, further, that five dollars may be paid for each transcript of testimony at Coroner's inquest, upon the approval of the Coroner. *Provided*, further, that in the event any capital cases are appealed to the Supreme Court by lawyers appointed by the court to represent the defendant, the cost of printing record for appeal and brief for defense counsel shall be paid for from this item.

50-B. County Audit, as contracted for by Orangeburg County Highway Commission, not to exceed ..	1,200.00
53-B. Salary, County Judge	10,500.00
53-C. Salary, Stenographer for County Judge	3,500.00
53-D. Salary, part time, Circuit Court Stenographer for county court work	1,000.00
53-E. Clerical help for Circuit Solicitor, to be drawn and disbursed by him	1,200.00
53-F. Travel, First Circuit Probation Officer	480.00
54-A. Salary, Domestic Relations Court Judge (part time)	4,200.00
54-B. Salary, Stenographer, Domestic Relations Court	3,000.00
54-C. Salary, Probation Counselor, Domestic Relations Court	5,000.00
54-D. Travel, Probation Counselor, Domestic Relations Court	1,500.00
54-E. Law Library, County Judge	100.00

Total, Judicial Department\$ 41,680.00

Probate Judge:

55-A. Salary, Judge of Probate	\$ 6,300.00
55-B. Salary, Deputy Judge of Probate	3,600.00
55-C. Post Mortems and Lunacies	800.00
Total, Judge of Probate	\$ 10,700.00

Magistrates (Part Time):

58-A. Salary, Magistrate at Orangeburg	\$ 3,000.00
58-B. Stenographic service and office expense of Magistrate at Orangeburg	1,200.00
59-A. Salary, Magistrate at North	1,200.00
59-B. Salary, Magistrate at Branchville	1,200.00
59-C. Salary, Magistrate at Bowman	1,080.00
59-D. Salary, Magistrate at Holly Hill	1,200.00
59-E. Salary, Magistrate at Elloree	1,200.00
59-F. Salary, Magistrate at Springfield	1,080.00
59-G. Salary, Magistrate at Cope	1,200.00
59-H. Salary, Magistrate at Neeses	600.00
59-I. Salary, Magistrate at Norway	1,080.00
59-J. Salary, Magistrate at Eutawville	1,080.00
Total, Magistrates	\$ 15,120.00

County Health Work	\$ 26,567.10

Total, County Health Work	\$ 26,567.10
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Provided, that such sum of money shall supplement the allotment to Orangeburg County by the State Health Department and the budget of the Health Department shall be approved by the Orangeburg County Legislative Delegation.

Provided, further, the State Board of Health is authorized, upon the written request of a majority of the legislative delegation, including the Senator, to continue the employment of Dr. C. I. Goodwin as County Health Officer of Orangeburg County, notwithstanding the age requirement of the State Retirement System.

Farm and Home Demonstration Department:

65-A. Office expense, Farm Demonstration Agent	\$ 75.00
65-B. Salary Supplement, Farm Demonstration Agent Assistants (Part)	1,080.00

65-C. Supplementary Stenographic Service, Farm (\$900.00) and Home (\$1,200.00) Demonstration Agents	2,100.00
65-D. Salary Supplement, Home Demonstration Agent	280.00
65-D-1. Supplies for Home Demonstration Agent	75.00
65-D-2. Salary Supplement, Assistant Home Demonstration Agent	280.00
65-E. Salary Supplement, Farm Demonstration Agent	1,300.00
65-F. Boys' 4-H Club	100.00
65-G. Girls' 4-H Club	100.00
65-H. Home Demonstration Club Work	50.00
65-I. Salary Supplement, Negro Demonstration Agent (Part)	1,000.00
65-J. Salary and Expense, Assistant to Negro Farm Demonstration Agent	2,800.00
65-K. Negro Home Demonstration Agent, Part Salary	851.00
65-L. Expense, Negro Home Demonstration Agent ..	180.00
65-M. Expense, Negro Farm Demonstration Agent ..	240.00
65-N. Negro Fair Association	300.00
65-O. Negro Boys' 4-H Club	100.00
65-P. Stenographer, Negro Home and Farm Demonstration Agents	1,900.00
65-Q. Negro 4-H Girls' Club	100.00
65-R. New Home Makers' Club	100.00
65-S. Rent, Negro Farm and Home Demonstration Office	360.00
Total, Farm and Home Demonstration Department	\$ 13,371.00

Social Service:

70-A. Relief for the needy under the supervision of Department of Public Welfare	\$ 4,500.00
Such sum to be advanced to County Welfare Department quarterly and, at the end of each quarter period, the County Legislative Delegation shall be furnished a statement showing how such money was spent.	
70-B. Hospital Aid for Charity Patients	30,000.00
<i>Provided</i> , such sum of money shall be paid to the Orangeburg Hospital at Orangeburg in quar-	

terly payments and, before such payments are made, the hospital shall furnish to the Orangeburg County Highway Commission a statement showing the number of charity patients treated, and the number of days such patients were treated during the preceding quarter, and not more than thirty per cent of the total appropriation shall be drawn for any one quarter of the fiscal year. *Provided*, further, that the officials of the hospital shall have the right to enlist the assistance of the Orangeburg County Department of Public Welfare in investigating the financial standing of any person applying for assistance under the provisions of this Section. *Provided*, further, that not more than seven dollars and fifty cents per day shall be payable from county for care of any patient.

70-C. County Welfare Department, Petty Cash	450.00
70-D. Expense of Child Welfare Workers	1,300.00
70-G. Stenographer, Child Welfare Work	2,400.00
72-A. Salvation Army, for aid in county	600.00
73-A. Children's Nursery at Orangeburg	600.00
73-F. Colored Children's Work	180.00
73-H. Sunlight Club, for aid in county	600.00

Total, Social Service\$ 40,630.00

Miscellaneous Expenses and Services:

75-A. Salary of Coroner (Part Time)	\$ 660.00
75-B. Payment of Coroner's juries at rate of two dollars for each member	400.00
75-C. Orangeburg County Planning and Development Commission	10,000.00
<i>Provided</i> , that the Orangeburg County Planning and Development Commission may draw the above amount and deposit the proceeds in its own bank account to carry on the duties prescribed for it by law.	
75-D. Salary, Service Officer	5,200.00
<i>Provided</i> , that his full time is given to the duties of his office.	

75-D-1. Stenographer for Service Officer	2,400.00
75-D-2. Expenses, Service Officer	1,500.00
<i>Provided, that he be furnished an office in the courthouse.</i>	
75-E. Salary, Members of the Boards of Registration	1,300.00
<i>Provided, the chairman shall receive a salary of \$500.00 from county appropriation.</i>	
75-G. Expense, Local South Carolina National Guard Units	1,000.00
75-I. Treatment of T. B. Patients	780.00
Total, Miscellaneous Expenses and Services	\$ 23,240.00

General Expense:

80-A. Stationery, Books, Office Supplies, Equipment, Printing, Postage and Advertising	\$ 10,000.00
80-B. Insurance on Public Buildings	900.00
80-C. Premiums on Bonds of County Officials	950.00
80-D. Courthouse, Expenses, including coal, water, lights, supplies, telephones, etc.	10,000.00
80-E. Part time Clerical Help, Orangeburg Soil Conservation District	1,000.00
80-G. Printing County Claims	600.00
80-H. Janitor Service, Courthouse	2,100.00
80-I. Janitors, Office Building	980.00
80-J. Janitors, County Health Center	1,200.00
80-K. To match funds of county officers and employees for retirement purposes and Social Security ...	13,200.00
80-L. Workmen's Compensation Coverage	1,000.00
80-M. Rabies Control Officer	3,000.00
80-N. To supplement funds, County Officers and Employees—Group Insurance	3,000.00
80-P. Civil Air Patrol	1,000.00
Total, General Expense	\$ 48,930.00

Contingent Fund:

85-A. Contingent Expenses	\$ 25,000.00
<i>Provided, that the expenditures from this item shall be approved by the County Legislative Delegation.</i>	
Total, Contingent Fund	\$ 25,000.00

Transitory Expenditures:

90-G. For heat, water and expenses of curb market..\$ 180.00

Provided, this amount shall be paid monthly to the secretary.

Total, Transitory Expenses\$ 180.00

TOTAL FOR OPERATING EXPENSES..\$559,214.42

SECTION 2. The sums herein appropriated for the specific purposes under the several items herein are the maximum amounts which shall be expended for the respective purposes and no warrant or warrants shall be issued in excess of such amounts, nor shall any indebtedness be incurred which in the aggregate exceeds the amounts provided for each item, and the Treasurer of Orangeburg County is prohibited from paying any warrants which exceed such sum; *provided*, that no money shall be spent otherwise than is specifically authorized by this act or the legislative delegation, as provided herein, and all unexpended balances not otherwise directed in this act shall be placed to the credit of the general county fund; *provided*, further, that the Treasurer of Orangeburg County is authorized to deposit county funds in any banking institution or depository within the county, where the deposits are not insured, provided such banking institution or depository shall place with the county treasurer securities which in his judgment adequately protect any such deposit.

SECTION 3. The sums hereinabove appropriated shall only be used if so much be necessary, and when not otherwise provided. Salaries and expenses, where combined in the same item, shall be paid monthly without requiring expenses to be itemized. *Provided*, that where expenses are provided as a separate item they shall not be paid except upon sworn itemized statements of the same. Travel paid for by the county shall be at the rate of seven cents per mile except that, when a public conveyance is used, only the actual cost of the transportation shall be paid.

SECTION 4. All sums received by the county treasurer from the officers formerly receiving fees in Orangeburg County shall be credited to the general county fund, and the treasurer shall keep a separate record of the monthly remittance from each such officer. *Provided*, that whenever any fees are due to any county officers by reason of work or service done for the county and, where the fees required by

law to be paid would have to be paid by the county, the various county officers heretofore entitled to charge fees are instructed and authorized to perform such services and do such work without requiring the payment of such fees. *Provided*, however, each officer shall make a record of such work or service performed for the benefit of the county and file a statement of same with the county treasurer in making his monthly statement.

SECTION 5. Wherever reference is made in this act, or any other legislation, to any action of or by the legislative delegation, the same means the joint approval, agreement or order of the Senator and one-half of the Representatives of Orangeburg County in the General Assembly holding office at the time of such instructions.

SECTION 6. No portion of the funds hereby appropriated shall be used to pay for public liability insurance on any motor vehicle owned by Orangeburg County. The appropriation for Contingent Expenses may be used by the Orangeburg County Highway Commission to pay any deficit arising by reason of claims under Items 30-F, 43-B, 43-C, 50-A, 55-C, 80-K and 80-L, in case the specific appropriations therefor shall be exhausted.

SECTION 7. Upon written authorization of the Legislative Delegation from Orangeburg County, the Orangeburg County Highway Commission shall make the necessary repairs and improvements to the public buildings owned by the county, and the expense thereof shall be paid from the ordinary funds of the county.

SECTION 8. The county service officers, the attendance teacher, each outside deputy sheriff, the county health director and the county forestry ranger shall prepare written reports quarterly as to their activities and services, sending a copy to each member of the county legislative delegation.

SECTION 9. Jurors in the County Court shall be paid a per diem of four dollars for each day of attendance upon any session of the County Court.

SECTION 10. Any appropriations made by this act may be reduced or eliminated by order of the Legislative Delegation from Orangeburg County.

SECTION 11. If any word, phrase, part or section of this act is held unconstitutional, the remaining portion shall continue in full force and effect.

SECTION 12. All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R37, H1079)

No. 493

An Act To Authorize And Empower The Pickens County Finance Board To Borrow Not Exceeding One Hundred Thousand Dollars To Be Used For Building, Repairing And Improving Public Buildings And Roads, For The Payment Of Past Indebtedness And Other Ordinary County Purposes And To Provide For The Payment Of The Indebtedness.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Pickens County may borrow money.—The Pickens County Finance Board is hereby authorized and empowered to borrow a sum not exceeding one hundred thousand dollars from any bank or banks or other financial institution or financial institutions or other agency or agencies it may select for use in the building, repairing and improving of public buildings, for use in the building, repairing and improving of public roads, for use in the payment of past indebtedness, and for use in accomplishing ordinary county purposes. The amount or amounts borrowed shall be evidenced by a note or notes to be executed jointly by the County Supervisor, County Treasurer and County Superintendent of Education. Such note or notes shall bear interest at the best available rate, not to exceed four per cent per annum from the date thereof, the interest to be paid semi-annually on June thirtieth and December thirty-first. Such note or notes shall mature upon such date or dates as the Pickens County Finance Board shall determine but not later than ten years from the date of issue. The full faith, credit and taxing power of Pickens County is hereby irrevocably pledged to the repayment of the interest and principal of the note or notes issued hereunder.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R305, H1573)

No. 494

An Act To Confirm And Ratify The Actions Of The Board Of Trustees Of Pickens County School District A And The Treasurer Of Pickens County, Relating To The Loan Procured From The Division Of Sinking Funds And Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Actions of trustees of Pickens County School District A relative to certain loan ratified.—The actions of the Board of Trustees of Pickens County School District A and the Treasurer of Pickens County, relating to the loan in the amount of two thousand dollars, procured from the Division of Sinking Funds and Property, and the note evidencing such loan, are hereby confirmed and ratified. The loan, as evidenced by the note, shall be repaid in four equal annual installments of principal, with interest, at the rate of four per cent per annum; but the makers shall have the right to anticipate payment at any annual interest paying period.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 7th day of May, 1959.

(R315, H1541)

No. 495

An Act To Amend Act No. 1163 Of The Acts Of 1958, Relating To The Liberty-Norris-Central Water District In Pickens County, So As To Include Cateechee And To Change The Name To Cateechee-Central-Liberty-Norris Water District, And To Increase The Membership Of The Commission.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1163 of 1958, amended—Cateechee-Central-Liberty-Norris Water District created—boundaries.
—Section 1 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

“Section 1. There is hereby created and established in Pickens County a district to be known as ‘Cateechee-Central-Liberty-Norris Water District,’ which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory:

‘A strip one-half mile wide on each side of the centerline of U. S. Highway No. 123; beginning at the intersection of the centerline of said highway and the western municipal limits of the Town of Liberty, and from a line through this point extending on each side of said highway in a N 46° 53’ W direction; thence along the centerline of said highway to the intersection of the centerline of said highway and the northeastern municipal limits of the Town of Central;

And, a strip one-half mile wide on each side of the centerline of S. C. Highway No. 137; beginning at the intersection of the centerline of said highway and the northwestern boundary of the heretofore described area; thence along the centerline of said highway to the intersection of the centerline of said highway and the centerline of Twelve Mile River; except for an area in the Cateechee Village bounded on the north and west by Twelve Mile River, on the east by a line running North from the intersection of Main and River Streets, and on the south and east by a line running S 45° 00’ W from the intersection of said streets.

The entire corporate limit of the Town of Norris is included in the boundaries of the district.

A plat of the entire district is of record in the office of the Clerk of Court for Pickens County.’”

SECTION 2. Membership of commission—terms—appointments—vacancies.—Section 2 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

“Section 2. Such district shall be operated and managed by a commission to be known as ‘Cateechee-Central-Liberty-Norris Water

Commission' which shall consist of four resident electors of the district. The following persons shall constitute the initial members of the commission and shall serve for terms as follows: Earle Chastain, Liberty, for a term of six years; E. L. Bolick, Central, for a term of four years; Harold G. Gaines, Norris, and R. A. Taylor, Cateechee, for terms of two years.

The regular terms of office of the members of the commission shall be for six years. In all cases, the members of the commission shall hold until their successors qualify. The commission, except the initial members who are named herein, shall be appointed by the Governor upon the recommendation of the legislative delegation from the county. The initial terms shall begin as of the effective date of this act. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Pickens County."

SECTION 3. Subsection (d) of Section 4, Act 1163 of 1958, amended—execution of bonds of the district—delivery.—Subsection (d) of Section 4 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

"(d) Such bonds shall be executed in the name of Cateechee-Central-Liberty-Norris Water District by the Chairman and the Secretary of the Cateechee-Central-Liberty-Norris Water District Commission, under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution or authentication."

SECTION 4. Section 5 of Act 1163 of 1958, amended—election on bond issue.—Section 5 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

"Section 5. The commission shall make provision for the holding of a special election in the district on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by Section 4 of this act. The election shall be conducted by the Commissioners of Election for Pickens County,

who shall give notice of the election by publication once each week, for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several voting precincts in the district, as the same are now established by law. The question submitted shall show on its face the primary purpose or purposes for which the proceeds of the bond issue are to be expended, and with the blank set forth therein appropriately completed. The question shall be submitted in substantially the following form:

‘Shall the Cateechee-Central-Liberty-Norris Water District issue bonds in a sum not exceeding five hundred thousand dollars, the proceeds of which shall be used to construct and establish . . . in said district?

YES

NO’

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word ‘NO’ and that if he is opposed to the issuance of bonds, he shall erase or strike through the word ‘YES’. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election of Pickens County who shall declare the result of the election. If the commissioners determine that a majority of those voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 4 of this act, but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued. Except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law.”

SECTION 5. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1959.

(R439, H1699)

No. 496**An Act To Repeal Act No. 556 Of 1955 Which Created The Cateechee Water And Sewer District In Pickens County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 556 of 1955, repealed.—Act No. 556 of 1955 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R479, H1818)

No. 497**An Act To Repeal Act No. 1161 Of The Acts And Joint Resolutions Of 1958, Creating The Easley-Liberty-Pickens Water District In Pickens County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 1161 of 1958, repealed.—Act No. 1161 of the Acts and Joint Resolutions of 1958, creating the Easley-Liberty-Pickens Water District in Pickens County, is repealed.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R480, H1819)

No. 498**An Act To Amend Act No. 1163 Of The Acts Of 1958, Relating To The Liberty-Norris-Central Water District In Pickens County, So As To Extend Its Boundaries And To Change The Name To Easley-Central Water District, To Increase The Membership Of The Commission, To Increase The Amount Of Bonds Authorized To Be Issued And To Repeal An Act Of The General Assembly Of 1959 Bearing Ratification No. 315.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1163 of 1958, amended—Easley-Central Water District created—area.—Section 1 of Act No. 1163 of the Acts of 1958 is amended to read as follows :

“Section 1. There is hereby created and established in Pickens County a district to be known as ‘Easley-Central Water District,’ which district shall be a public corporation of perpetual succession and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory :

Beginning at a point in the center of U. S. Highway No. 123 at municipal limits of City of Easley on the West and continuing down center of said U. S. Highway No. 123 in the direction of Liberty, with a radius of one-half mile on either side of said highway to the municipal limits of the Town of Liberty on the East ; a strip one-half mile wide on each side of the centerline of U. S. Highway No. 123 ; beginning at the intersection of the centerline of said highway and the western municipal limits of the Town of Liberty, and from a line through this point extending on each side of said highway in a N 46° 53′ W direction ; thence along the centerline of said highway to the intersection of the centerline of said highway and the northeastern municipal limits of the Town of Central ;

And, a strip one-half mile wide on each side of the centerline of S. C. Highway No. 137 ; beginning at the intersection of the centerline of said highway and the northwestern boundary of the heretofore described area ; thence along the centerline of said highway to the intersection of the centerline of said highway and the centerline of Twelve Mile River ; except for an area in the Cateechee village bounded on the North and West by Twelve Mile River, on the East by a line running North from the intersection of Main and River Streets, and on the South and East by a line running S 45° 00′ W from the intersection of said streets.

The entire corporate limit of the Town of Norris is included in the boundaries of the district.

A plat of the entire district is of record in the office of the Clerk of Court for Pickens County.”

SECTION 2. Section 2 of Act 1163 of 1958, amended—managed by a commission—members—terms—vacancies.—Section 2 of Act No. 1163 of the Acts of 1958 is amended to read as follows :

“Section 2. Such district shall be operated and managed by a commission to be known as ‘Easley-Central Water Commission’ which shall consist of seven qualified electors of Pickens County. The following persons shall constitute the initial members of the commission and shall serve for terms as follows: R. C. McCall, Easley, for a term of six years; Earle Chastain, Liberty, for a term of six years; Allen W. Bivens, Pickens, for a term of four years; E. L. Bolick, Central, for a term of four years; Harold G. Gaines, Norris, for a term of four years; J. I. Bolding, Liberty, for a term of two years; and R. A. Taylor, Cateechee, for a term of two years.

The regular terms of office of the members of the commission shall be for six years. In all cases, the members of the commission shall hold office until their successors qualify. The commission, except the initial members who are named herein, shall be appointed by the Governor upon the recommendation of the legislative delegation from the county. The initial terms shall begin as of the effective date of this act. Any vacancy occurring in the office of commissioner by reason of death, resignation or otherwise, shall be filled for the remainder of the unexpired term by appointment by the Governor, upon the recommendation of a majority of the Legislative Delegation of Pickens County.”

SECTION 3. First paragraph and subsection (d) of Section 4 of Act 1163 of 1958, amended—bond issue if election favorable—execution.—A. The first subsection of Section 4 of Act No. 1163 of the Acts of 1958 is amended by increasing the proposed bond issue from five hundred thousand dollars to one million five hundred thousand dollars, and so amended shall read as follows:

“The commission, on behalf of the district, shall be empowered to issue not exceeding one million five hundred thousand dollars of general obligation bonds of the district, whose proceeds shall be used to defray the cost of constructing and establishing a water system in the district. For the purpose of this section, the term ‘construct and establish’ shall embrace the cost of direct construction, the cost of all land, property, rights, easements and franchises acquired, which are deemed necessary for such water system, the cost of all machinery and equipment needed therefor, payments to contractors, laborers or others for work done or material furnished, financing charges, interest prior to and during construction and for six months after completion of construction, cost of engineering services, legal services, legal expenses, plans, specifications, surveys, administrative expenses, and

such other expenses as may be necessary or incident to the construction of the water system, and the placing of the same in operation. General obligation bonds shall be issued only in the event the election required by Section 5 of this act shall result favorably. All or any general obligation bonds issued pursuant to this act may be additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the district. The words 'net revenues' as used in this paragraph shall mean that sum remaining from the aggregate of all monies realized by the district from rates and charges imposed and collected after paying the cost of operation and maintenance of the facility, whose revenues shall be pledged. If, pursuant to this paragraph, general obligation bonds are issued:"

B. Subsection (d) of Section 4 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

"(d) Such bonds shall be executed in the name of Easley-Central Water District by the Chairman and the Secretary of the Easley-Central Water District Commission, under the seal of the district. The coupons attached to such bonds may be authenticated by the facsimile signatures of the chairman and the secretary of the commission who are in office on the date of such bonds. The delivery of any bonds so executed and authenticated shall be valid, notwithstanding any changes in officers or seal occurring after such execution or authentication."

SECTION 4. Section 5 of Act 1163 of 1958, amended—election on question of issuing bonds.—Section 5 of Act No. 1163 of the Acts of 1958 is amended to read as follows:

"Section 5. The commission shall make provision for the holding of a special election in the district on a date to be fixed by the commission, at which time there shall be submitted to the qualified electors of the district the question of issuing bonds of the district for the purposes authorized by Section 4 of this act. The election shall be conducted by the Commissioners of Election for Pickens County, who shall give notice of the election by publication once each week, for three successive weeks prior thereto, in one or more newspapers with general circulation in the district, stating the question to be submitted at the election, and specifying the amount in dollars of the bonds proposed to be issued. The election shall be conducted at the several voting precincts in the district, as the same are now established by law. The question submitted shall show on its face the primary pur-

pose or purposes for which the proceeds of the bond issue are to be expended, and with the blank set forth therein appropriately completed. The question shall be submitted in substantially the following form:

'Shall the Easley-Central Water District issue bonds in a sum not exceeding one million five hundred thousand dollars, the proceeds of which shall be used to construct and establish . . . in said district?

YES

NO'

The ballot shall contain suitable instructions, advising the voter that if he favors the issuance of bonds, he shall erase or strike through the word 'NO' and that if he is opposed to the issuance of bonds, he shall erase or strike through the word 'YES'. The managers of election at each precinct shall count the ballots and forthwith return the result of the election, together with the original ballots and tally sheets, to the Commissioners of Election of Pickens County who shall declare the result of the election. If the commissioners determine that a majority of those voting in the election voted in favor of the issuance of bonds, the bonds, or any part thereof, may be issued as provided in Section 4 of this act, but if the commissioners determine that a majority of the ballots cast in the election be against the issuance of bonds, then no bonds shall be issued. Except as herein provided, the election shall be conducted in accordance with the provisions of the South Carolina Election Law."

SECTION 5. Repeal.—Act No. 495 of 1959, repealed.—An act of the General Assembly of 1959 bearing Ratification No. 315 and all other acts or parts of acts inconsistent herewith are repealed.

SECTION 6. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

An Act To Provide For The Levy Of Taxes In Pickens County For County And School Purposes For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of so many mills as are necessary is hereby levied on all taxable property in Pickens County, for county and school purposes, for the fiscal year beginning July 1, 1959, and ending June 30, 1960, for the amounts and purposes hereinafter mentioned. The millage levy shall not exceed that number of mills, or fractions thereof, actually necessary to raise the sums herein appropriated. After deducting the expected revenues herein stated, such millage shall be determined by the Pickens County Auditor, subject to the approval of a majority of the Pickens County Legislative Delegation. *Provided*, the ordinary county tax millage shall be set at a time different from that at which the school tax levy is set by the auditor upon recommendation of a majority of the members of the Board of Trustees of Pickens County School District A.

Item 1. Roads and Bridges, Cross-county Roads, etc.:

A. Maintenance, Roads and Bridges and County
Farm\$200,000.00

Provided, that not more than \$25,000.00 of the above sum shall be expended within the incorporated municipalities upon recommendation of the Pickens County Municipal Association and approval of a majority of the Legislative Delegation. *Provided*, further, that not to exceed \$25,000.00 of the above sum may be expended prior to July 1, 1959, upon the approval of a majority of the Legislative Delegation.

B. New machinery to be purchased on written approval of a majority of the Pickens County Legislative Delegation 60,000.00

Total, Item 1\$260,000.00

Item 2. County Officers, Salaries and Expenses:

A. Clerk of Court\$ 4,700.00

A-1. Deputy Clerk of Court 3,049.00

A-2. Clerk 2,795.00

A-3. Assistant Clerk 2,079.00

Provided, that the Clerk of Court may designate the persons to fill the offices listed as A-1, A-2, and A-3 hereinabove and such designa-

tions shall be filed in writing with the Pickens County Board of Commissioners.	
B. Supervisor's salary	4,700.00
<i>Provided</i> , the Supervisor is allowed to use the gas and oil of the county for his car when necessary for county business.	
B-1. Clerk to Supervisor and County Commissioners	3,465.00
B-2. Assistant Clerk	1,200.00
C. Two County Commissioners	3,812.00
D. Coroner	1,155.00
E. County Attorney	880.00
F. County Physician	880.00
<i>Provided</i> , that the sums authorized in Items D and F shall be paid quarterly.	
G. County Auditor	1,700.00
<i>Provided</i> , the salary of the County Auditor shall not exceed the sum of \$4,700.00.	
G-1. Clerical Help for Auditor	1,800.00
G-2. Mileage for Auditor	250.00
H. County Treasurer	1,700.00
<i>Provided</i> , the salary of the County Treasurer shall not exceed the sum of \$4,700.00.	
<i>Provided</i> , further, that a notice shall be sent to every taxpayer when county ordinary taxes or county school taxes are increased. Such notice shall state the purpose and method of such increase.	
H-1. Clerical Help for Treasurer	2,772.00
H-2. Extra Clerical Help, October, November, December and January	600.00
<i>Provided</i> , that the above sum shall be spent upon written approval of a majority of the Delegation.	
I. County Sheriff	4,700.00
I-1. Eight Deputy Sheriffs	28,800.00
<i>Provided</i> , the above deputy sheriffs shall perform duties at the county jail as directed and scheduled by the county sheriff.	
I-2. Travel expenses for Sheriff and Deputies ...	8,100.00
<i>Provided</i> , gasoline shall be furnished by the county.	

I-3. Maintenance of Automobiles—Sheriff's Department	5,000.00
<i>Provided</i> , two thousand dollars of the above amount, if so much be needed, shall be used for the purchase of a new automobile upon the approval of a majority of the Pickens County Legislative Delegation.	
I-4. Uniforms for Sheriff and Deputies	1,800.00
<i>Provided</i> , uniforms shall be purchased from the Pickens County Firm offering the lowest bid price for the fiscal year.	
I-5. Six mill deputies, at fifty-five dollars per month, to be appointed by the Sheriff and provided by the Sheriff with such duties of his office as they may be able to perform within the limits of the compensation they shall receive hereinabove	3,960.00
I-6. Maintenance of radio system for Sheriff's Department	500.00
<i>Provided</i> , that the above amount shall be spent on the written approval of the Pickens County Legislative Delegation.	
J. Probate Judge	4,700.00
K. Tax Collector	3,292.00
K-1. Clerical Help for Tax Collector	788.00
K-2. Mileage for Tax Collector	250.00
L. County Jailor	2,880.00
M. Magistrates:	
M-1. Easley	2,625.00
M-2. Pickens	2,310.00
M-3. Liberty	1,890.00
M-4. Central	1,890.00
M-5. Six Mile	250.00
M-6. Magistrates' Constables, Salaries:	
(a) Liberty	527.00
(b) Central	368.00
(c) Six Mile	229.90
(d) Easley	1,800.00
<i>Provided</i> , the Easley constable shall devote full time to the duties of this office.	

M-7. Magistrates' Constables Fees and Mileage	1,200.00
N. Caretaker, County Home	2,973.00
N-1. Travel, County Home Caretaker	150.00
<i>Provided, County Home Caretaker shall receive seven cents per mile actually traveled in the scope of his employment to be paid by board of county commissioners upon receipt of duly verified claim, not to exceed the amount herein provided.</i>	
N-2. Cook for County Home	1,089.00
Total, Item 2	\$119,608.90
Item 3. County Boards:	
A. Board of Equalization	\$ 500.00
B. Board of Registration	500.00
C. Board of Vital Statistics	400.00
<i>Provided, each member to be paid twenty-three dollars per year and twenty-five cents for each certificate.</i>	
Total, Item 3	\$ 1,400.00
Item 4. Court Expenses, Jurors, Witnesses, Etc.:	
A. Jurors and Witnesses	\$ 6,200.00
B. Expense, Stenographer, 13th Judicial Circuit	310.00
B-1. Secretary to Solicitor	300.00
B-2. Travel expense, Solicitor, 13th Judicial Circuit	310.00
C. Post Mortems, Inquests and Lunacies	400.00
D. Jurors for Coroner's Inquests	50.00
E. Stenographer at Inquests	50.00
Total, Item 4	\$ 7,620.00
Item 5. County Home and Feeding Prisoners:	
A. County Jail	\$ 3,500.00
B. County Home	5,500.00
C. Transporting Prisoners	400.00
Total, Item 5	\$ 9,400.00

Item 6. Public Buildings:

A. Water, Lights and Insurance	\$ 4,000.00
<i>Provided</i> , that the sum of two hundred and ten dollars, if so much be needed, be used for the purchase of insurance against liability by reason of explosion of boilers in the various county buildings, and the sum of seven hundred and ninety-five dollars shall be used to purchase insurance against liability on county vehicles, if so much be needed in each case.	
B. Telephone and Telegraph	3,000.00
C. Fuel	1,400.00
D. Janitor Service & Supplies	2,680.00
<i>Provided</i> , the Board of Commissioners shall employ such person or persons as may be necessary and provide the supplies to maintain the county buildings in a clean and sanitary condition.	
E. Printing, Postage and Stationery	8,000.00
F. Repairs on Public Buildings	1,000.00
Total, Item 6	\$ 20,080.00

Item 7. Miscellaneous:

A. Bond Premiums, County Officers	\$ 850.00
B. County Library	12,962.00
<i>Provided</i> , that \$200.00 of the above sum is appropriated for a library staff intern employee.	
<i>Provided</i> , further. that the increase in appropriation shall be expended for the purchase of books to be distributed throughout the branches of the Pickens County Library.	
C. Compensation insurance premium, employee other than elective	2,000.00
D. Annual Audit of County Books	1,800.00
E. Contingent Fund, to be expended upon the written approval of a majority of the Pickens County Legislative Delegation	7,000.00
F. County's part, Employees Retirement Fund ..	10,000.00
G. Mileage, Pickens County Fire Control Wardens (3 @ \$25.00 per month each)	900.00

H. Adult Education Program	2,000.00
<i>Provided</i> , that such program shall be approved by the Pickens County Legislative Delegation.	
I. Maintenance of Watershed Projects	700.00
<i>Provided</i> , the above sum shall be spent on written approval of a majority of the Pickens County Legislative Delegation.	
Total, Item 7	\$ 38,212.00
Item 8. Farm Demonstration:	
A. 4-H Club, Boys	\$ 200.00
B. 4-H Club, Girls	200.00
C. F. F. A.	200.00
D. Supplies for Home Agent	100.00
E. Clerical Help for County Agent's Office	500.00
F. Supplement to Salary of County Farm Agent ..	350.00
G. Supplement to Salary of Assistant County Farm Agent	250.00
G-1. Supplement to Salary of Assistant County Farm Agent	250.00
H. Supplement to Salary of County Home Demonstration Agent	250.00
I. Supplement to Salary of Assistant County Home Demonstration Agent	250.00
<i>Provided</i> , that the sums appropriated in subitems F, G, G-1, H and I shall be paid in equal quarterly payments.	
Total, Item 8	\$ 2,550.00
Item 9. Pickens County Department of Public Welfare:	
A. Emergency Relief (to prospective clients) ...	\$ 1,500.00
B. Child Welfare (Mileage)	920.00
C. Foster Board Care	800.00
D. Special Services (Lunches for Child Welfare and other clients when taken out of county on all day trips)	200.00
E. Pickens County Board of Public Welfare, at two hundred dollars per annum per member	600.00
F. Relief for temporary emergencies	500.00

Provided, that the above amount shall be spent on the written authorization of the Pickens County Board of Public Welfare.

Total, Item 9	\$ 4,520.00
Item 10. Pickens County Health Department:	
A. Burial of Paupers	\$ 300.00
B. Pickens County Health Unit	10,013.25
<i>Provided</i> , that all moneys expended from this appropriation, together with such funds as may be contributed by the State and Federal Governments for the operation of the County Health Unit, shall be in accordance with a budget filed with and approved in advance of such expenditures by a majority of the Pickens County Legislative Delegation.	
Total, Item 10	\$ 10,313.25
Item 11. National Guard Armory—Maintenance	\$ 1,100.00
Total, Item 11	\$ 1,100.00
Item 12. Pickens County Service Officer	\$ 3,990.00
Clerical Help	1,848.00
Total, Item 12	\$ 5,838.00
Item 13. County Cooperative Breeding Association	\$ 1,800.00
<i>Provided</i> , that not to exceed one hundred and fifty dollars per month shall be paid from this appropriation by the county treasurer on an itemized statement of the officers of the association.	
Total, Item 13	\$ 1,800.00
Item 14. Civil Defense	\$ 1,800.00
<i>Provided</i> , that the above amount shall be expended only on the approval of a majority of the County Legislative Delegation.	
Total, Item 14	\$ 1,800.00

Item 15. Pickens County Charity Hospital Funds\$ 35,000.00

Provided, that no moneys are to be expended until a definite rate per day be established and approved by a majority of the Pickens County Legislative Delegation, and be filed in writing with the County Board of Commissioners. *Provided*, further, that the above sum shall be regulated, supervised and administered by the Pickens County Board of Public Welfare. *Provided*, further, that the costs and expenditures for hospitalization and administration shall not exceed the above sum and no appropriation for administration or hospitalization shall be made when these funds are expended.

Provided, further, that any funds withheld from Pickens County by the State of South Carolina for charity hospitalization shall be reimbursed by an equal amount from this appropriation to the general fund of Pickens County.

Total, Item 15\$ 35,000.00

GRAND TOTAL\$519,242.15

Less Estimated Revenues—Other than Taxes:

Magistrates—Fines and Fees	\$ 36,000.00
From the Probate Judge	1,000.00
From the Clerk of Court	20,000.00
From the County Supervisor	10,000.00
From the Sheriff	1,500.00
From the Tax Collector	10,000.00
From the Wine and Beer Tax	7,500.00
Liquor Tax	28,000.00
Gas Tax	135,000.00
Income Tax	40,000.00
From Insurance License Fees	14,000.00
Tax from Banks	2,500.00
State Contribution for Service Officer	4,500.00

\$310,000.00

Total Amount to be Raised by Taxes\$209,242.15

SECTION 2. The county board of commissioners is hereby authorized and directed to publish quarterly statements in the two Pickens County newspapers. They shall publish only the amount appropriated and the unexpended balance of each item.

SECTION 3. No bills or claims against Pickens County for supplies purchased or services rendered shall be approved by the supervisor and the county commissioners, except in meeting assembled. No such bills or claims shall be approved for payment and no vouchers shall be issued for same unless such bills or claims are properly itemized showing the supplies or articles purchased, and the services rendered, with the proper dates of such purchases and of rendering of such services and duties. All bills over twenty-five dollars must be subscribed and sworn to before a notary public or other person authorized to administer oaths.

SECTION 4. Transfer from one item to another may be made only upon the written approval of a majority of the Pickens County Legislative Delegation, and they shall have power and authority to provide for and add to the appropriation herein made any sum sufficient to take care of any deficit which may prove to exist from the maintenance of the costs of the county government during the year 1959-60.

SECTION 5. The auditor and the treasurer, with the approval of a majority of the Pickens County Legislative Delegation, are hereby authorized and empowered to increase the general levy above provided to meet the appropriations made.

SECTION 6. There is hereby levied one mill for interest and a sinking fund on county bonds.

SECTION 7. Magistrates' Constables for whom salaries are appropriated shall be appointed by the magistrates in the respective townships.

SECTION 8. The Auditor of Pickens County shall levy a sufficient number of mills, or fraction thereof, to raise the sums necessary to operate the public schools of the school district of Pickens County in accordance with a budget to be prepared and presented to him by a majority of the trustees of the school district. Such budget shall include the necessary sums for payment of the share of this county of the compensation of the agriculture teachers in the school system, and

the trustees are authorized to expend such sums from the amount appropriated in their budget for that purpose. The school tax levy shall be set at a time not less than one week after the ordinary county tax levy is set. The school tax millage shall be within the statutory limitation.

SECTION 9. The annual compensation of each member of the Board of Trustees of Pickens County School District A and of each member of the County Board of Education is hereby fixed at twenty-five dollars. The sum necessary to pay the compensation herein prescribed shall be expended from the educational funds of the county.

SECTION 10. Any sum appropriated under the provisions of this act for salaries shall lapse upon the discharge, death, removal or resignation of the officer or employee to whom the appropriation applies, or by vacancy, however created, of the office to which such appropriation applies, and any employee or officer succeeding such employee or officer shall be paid at a compensation to be fixed in writing by a majority of the legislative delegation, and filed with the County Board of Commissioners.

SECTION 11. All county officials, authorized to disburse funds designated in the county appropriations act, are instructed to expend no funds in excess of amounts appropriated without the written approval of a majority of the county legislative delegation, and thereby avoid violation of Section 14-315, Code of Laws of South Carolina, 1952.

SECTION 12. A section of the county jail shall be reserved and set apart to be used for quartering offenders of sixteen years of age or less.

SECTION 13. The Treasurer of Pickens County is authorized to pay to the probation officer who has jurisdiction over Pickens County such sums as are necessary for compensation for additional duties in the investigation of cases in which persons under the age of eighteen years are charged with criminal offenses, upon the authorization of a majority of the legislative delegation. The probation officer shall make a complete report with his recommendations, to the magistrate or circuit court having jurisdiction of the cases involving these persons.

SECTION 14. When such purchasing or placing of orders is made, the equipment, materials, goods, wares, merchandise or services needed shall be purchased from firms or individuals within the county

whenever such firms or individuals are reliable and offer equipment, material, goods, wares, merchandise or services of equal quality and specifications with like goods from outside the county and at a price equal to or less than the price submitted by such nonresident bidders.

SECTION 15. No salary shall be paid under the provisions of this act until such employee, as affected, shall have complied with all requirements of the State Retirement Act with regard to any fees collected that are covered under the Social Security Law, such determination of amounts due to be certified to Pickens County by the State Director of the Retirement System.

SECTION 16. All acts or parts of acts inconsistent herewith are repealed.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R252, H1589)

No. 500

An Act To Authorize And Empower The Board Of Trustees Of School District No. 2, Richland County, To Issue General Obligation Bonds Of School District No. 2, Richland County, In An Amount Not Exceeding Twenty-Four Thousand Dollars For The Purposes Enumerated In This Act; To Prescribe The Conditions Under Which Said Bonds May Be Issued And Their Proceeds Expended; And To Make Provision For The Payment Of The Same.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Findings of General Assembly.—The General Assembly finds that further school facilities are required in School District No. 2, Richland County, and that immediate steps should be taken to authorize the same, and the issuance of bonds to finance the cost thereof is required.

SECTION 2. Trustees of School District 2, Richland County, may issue bonds.—The Board of Trustees of School District No. 2, Richland County (hereafter called the "Board") is hereby author-

ized and empowered to issue general obligation bonds of School District No. 2, Richland County, in the principal amount of not exceeding twenty-four thousand dollars, and to apply the proceeds of such bonds to the purposes specified in this act.

SECTION 3. Use of proceeds.—The proceeds derived from the sale of said bonds shall be deposited with the County Treasurer of Richland County, and paid out by the county treasurer upon the warrant or order of the Board for the following purposes:

(a) So much as shall be necessary shall be applied to pay the costs incurred in the issuance of these bonds.

(b) The remaining moneys shall be used to pay the cost of constructing and equipping school buildings in said school district, and, in connection with such authorization, the Board may purchase land as a site for any school building to be constructed with said proceeds if a site therefor shall become necessary.

SECTION 4. Issue — maturity — redemption — interest — registration dates—where payable.—The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the Board, except that the maturity date of the last installment shall fall due not later than twenty-five years from the date the bonds bear, and the first maturity date may be postponed five years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Board, contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the Board shall prescribe. The bonds shall bear such rate or rates of interest as the Board may determine, payable on such occasions as the Board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Board may prescribe. They shall bear such date or dates and be payable at such place or places as said Board may likewise prescribe.

SECTION 5. Execution.—The bonds and the interest coupons thereunto attached shall be executed in such manner as the said Board shall prescribe.

SECTION 6. Sale—notice.—The bonds shall be sold by the Board at not less than par and accrued interest to the date of their respective deliveries, at public sale or private sale, and if a public sale be undertaken at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Tax exempt.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 8. Payment—tax levy.—For the payment of all bonds issued pursuant to this act, both principal and interest, as the same shall respectively mature, the full faith, credit, resources and taxing power of School District No. 2, Richland County shall be pledged, and there shall be levied and collected by the Auditor and Treasurer of Richland County, respectively, an ad valorem tax upon all taxable property in the school district, without limitation as to rate or amount, sufficient to pay the interest on such bonds and the bonds as they respectively mature. The taxes, when so levied and collected, shall be held by the Treasurer of Richland County, separate and distinct from all other funds, and used solely for the purposes for which levied and collected.

SECTION 9. Action of trustees—quorum.—Any action required of the Board may be taken at any meeting of the Board, regular or special, and at such meeting a majority of the members of the Board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the Board by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R343, H1672)

No. 501

An Act To Authorize The School Commissioners Of School District No. 1, Richland County, To Issue Not Exceeding One And One-Half Million Dollars Of General Obligation Bonds Of School District No. 1, Richland County, To Prescribe The Conditions Under Which Bonds May Be Issued And The Purposes For Which Their Proceeds May Be Expended, And To Make Provision For The Payment Of Such Bonds.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly in regard to need of Richland School District 1 for facilities.—The General Assembly finds that School District No. 1, Richland County, has a need for further school facilities in order to accommodate the increasing number of pupils attending the public school system in the school district. It has therefore determined to authorize the School Commissioners of School District No. 1, Richland County (herein called the Commissioners), to effect the acquisition of further school facilities through the constructing and equipping of buildings and the renovation and improvement of existing buildings to the extent of one and one-half million dollars.

SECTION 2. Powers of Commissioners.—The Commissioners are hereby empowered to acquire such further school facilities as may be procured through the issuance and sale of the bonds authorized hereby and through such other funds available to the Commissioners, and to that end, shall be empowered to construct and equip new school buildings, to improve and enlarge and re-equip existing school buildings, and to acquire such land as may be needed therefor.

SECTION 3. Bond issue authorized—use of proceeds.—In order to obtain funds for the purposes above set forth, the Commissioners are hereby authorized and empowered to issue not exceeding one and one-half million dollars of general obligation bonds of School District No. 1, Richland County. The proceeds derived from the sale of any bonds issued pursuant to this act shall be paid to the Treasurer of Richland County, to be deposited in a Bond Account Fund for School District No. 1, Richland County, and shall be expended and made use of by the Commissioners as follows :

(a) Any accrued interest shall be applied to the payment of the first instalment of interest to become due on such bonds.

(b) Any premium shall be applied to the payment of the first instalment of principal of such bonds.

(c) The remaining proceeds shall be used to defray the cost of issuing the bonds and to acquire further school facilities as provided therein.

SECTION 4. Issue — maturity — redemption — interest — registration—dates—where payable.—The bonds may be issued as a single issue, or from time to time as several separate issues in the discretion of the Commissioners, provided, that no bond shall be issued later than three years after the effective date of this act. All bonds shall mature serially in successive annual instalments of such amounts as may be determined by the Commissioners, except that the maturity date of the last instalment of any bonds issued hereunder shall fall due not later than twenty-five years from the date such bonds bear, and the first maturity date may be postponed not more than three years from the date the bonds bear. Any bond issued pursuant to this act may, at the discretion of the Commissioners, contain a provision permitting its redemption prior to its stated maturity at such redemption premium as the Commissioners may determine, payable on such occasions as the Commissioners shall determine, but the average rate of interest for any issue of bonds sold pursuant to the authorization of this act shall not exceed four and one-half per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of School District No. 1, Richland County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the Commissioners may prescribe. They shall bear such date or dates and be payable at such places as the Commissioners may likewise prescribe.

SECTION 5. Execution.—The bonds and interest coupons thereto attached shall be executed in such manner as the Commissioners shall prescribe.

SECTION 6. Sale—notice.—The bonds shall be sold by the Commissioners at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 7. Tax exempt.—The bonds and all interest to become due thereon shall have the tax exempt status as prescribed by Act No. 730, Acts of 1952.

SECTION 8. Payment—pledge—tax levy.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of School District No. 1, Richland County, shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County, and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit, on all taxable property in the school district, sufficient to pay the principal and interest of such bonds as they respectively mature and to create such sinking fund as may be necessary therefor.

SECTION 9. Actions of Commissioners—quorum.—Any action required by the Commissioners may be taken at any meeting of the Commissioners, regular or special, and at such meeting a majority of the members of the Commission shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the Commissioners by the provisions of this act.

SECTION 10. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 11. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

An Act To Re-Enact Act No. 638 Of 1951, Relating To The Maintenance, Operation, Management And Improvements Of The Columbia Hospital Of Richland County, And To Amend Section 6 Thereof, Relating To The Medical Staff Of Such Hospital, So As to Provide That The Medical Staff Shall Become The Medical And Dental Staff And To Make Any Member Of The Richland

County Dental Association And Any Member Of The Columbia Dental Society Eligible To Become A Member Of The Medical And Dental Staff Of Such Hospital.

Whereas, the provisions of Act No. 638 of the 1951 Acts are of a local nature and are not codified in the Code of Laws of South Carolina, 1952; and

Whereas, copies of the 1951 Acts are scarce and there are many times when the provisions of such act should be referred to and copies are unavailable; and

Whereas, it is deemed advisable to re-enact such act so as to make it more accessible. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Act 638 of 1951, re-enacted—Section 6 amended—operation and improvement of Columbia Hospital by Richland County.—Act No. 638 of 1951 is re-enacted and Section 6 thereof is amended to read as follows:

“Section 1. On and after July 1, 1951, the Columbia Hospital shall be under the general supervision of a board of trustees, consisting of five members. The board of trustees shall be appointed by the Governor upon the recommendation of the Legislative Delegation from Richland County, as follows: one for a period of one year, one for a period of two years, one for a period of three years, one for a period of four years, and one for a period of five years; and thereafter their successors shall be appointed for terms of five years each. When the term of office of any of the trustees expires under the provisions of this section, then the office shall become vacant until a new trustee is elected as herein provided; *provided*, that the personnel of the present board of trustees shall constitute the initial board under the terms of this act, with their respective terms of office to be determined by the Richland County Legislative Delegation.

“Section 2. The board of trustees of the Columbia Hospital of Richland County is hereby, created the fiscal agents and servants, to conduct, operate, manage, maintain and improve the Columbia Hospital of Richland County.

“Section 3. The board of trustees shall have power to employ a superintendent and such servants and agents as may be necessary for the efficient management of the hospital. The superintendent so employed shall hold office at the pleasure of the board of trustees, and

shall give bond of the same form as county officers in the sum of ten thousand (\$10,000.00) dollars, to be approved by the clerk of court; the premium of the bond to be paid by the hospital.

“Section 4. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, S. C., and disburse same by checks issued by the duly authorized officer or employee of said hospital.

“Section 5. All claims against the hospital for all purposes shall be itemized, verified, and approved, as the board of trustees shall direct, and all checks drawn against hospital funds shall be signed by the chairman of the board of trustees and attested by the superintendent and the auditor.

“Section 6. Any member of the Columbia Medical Society of Richland County, any member of the Richland County Dental Association and any member of the Columbia Dental Society shall have the privilege of applying for membership on the Medical and Dental Staff of the Columbia Hospital of Richland County upon written application to the board of trustees; and if his application is approved shall remain a member of such staff as long as he abides by the bylaws, rules and regulations of the Board of Trustees of the Columbia Hospital of Richland County now in effect or as may be hereafter amended. The board of trustees shall provide in its bylaws, rules and regulations for the organization of a Medical and Dental Staff of the Columbia Hospital. The medical and dental staff shall be a scientific rotary body and not an administrative body; *provided*, that the board of trustees shall have the power to remove any member of the staff for incompetency, malpractice, failure to cooperate with the board of trustees or to abide by the bylaws, rules and regulations now in effect or as may be hereinafter amended or for any other well-founded cause.

“Section 7. The hospital, or the board of trustees thereof, shall operate departments of pathology and radiology and any other scientific departments which in their judgment better the facilities for patient care at the hospital. The directors of such departments shall be fully qualified in their field of medicine and responsible to the

board of trustees and its agents, the superintendent and the assistant superintendent of the hospital.

"Section 8. The books of the hospital shall be checked monthly by the board of trustees and a complete audit of the books of the hospital shall be made annually or oftener by a certified public accountant. Copies of such audits shall be furnished to the members of the Richland County Legislative Delegation and the members of the board of trustees of the hospital.

"Section 9. The members of the board of trustees shall meet once each month or oftener at the call of the chairman, for the purpose of transacting such business of the Columbia Hospital as may properly come before them.

"Section 10. The superintendent of the hospital shall advertise, when practical, for competitive bids for supplies for the hospital, and competitive bid shall be turned over to the board of trustees for proper attention.

"Section 11. In addition to the laboratories now owned and operated by the Columbia Hospital the board of trustees thereof may establish and maintain such other laboratories as will in their judgment increase the facilities of the hospital for experimental and research work.

"Section 12. Any funds hereafter left unexpended in the hands of the County Treasurer of Richland County from taxes levied and collected for charity patients shall be used for such improvements in the hospital or its services as the board of trustees of the hospital shall determine.

"Section 13. The Columbia Hospital shall not be required to maintain and board invalids and incurables as charity patients when they require indefinite nursing and medical treatment, in the judgment of the board of trustees.

"Section 14. In case pay patients are unable to pay their indebtedness to the hospital, in whole or in part, the board of trustees is authorized and empowered to accept a note or notes as evidence of such indebtedness, to negotiate such note or notes by endorsement thereof by the superintendent of the hospital, and in case such note or notes are not paid to the holder or holders thereof when due, that the hospital will pay the same as endorser. That the hospital shall have the right to accept assignment of wages or any other security for the payment of indebtedness to it and shall have a lien on any property whatsoever in the hospital of any pay patient to the amount of such patient's indebtedness to the hospital. The dishonor of any check to

the hospital, given as payment in full or in part of any indebtedness for hospital service, shall be deemed *prima facie* evidence of intention to defraud.

"Section 15. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

"Section 16. 'This act shall take effect upon its approval by the Governor.'"

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R455, H1709)

No. 503

An Act To Provide A Levy Of Taxes For Richland County For School And County Purposes For The Fiscal Year 1959-1960 And To Direct The Expenditures Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby levied a tax of eight and three-fourths mills, if so much be necessary, on all taxable property in Richland County for ordinary county purposes, which together with all additional sums available for ordinary purposes, shall be used for the payment of the items hereinafter set forth. *Provided*, that the Richland County Treasurer is hereby authorized and directed to transfer any surplus exceeding twenty-five thousand dollars in the General Funds of Richland County as of June 30, 1959 to the various countywide Bond Accounts of the county and the Richland County Treasurer and Auditor are hereby authorized and directed to reduce the levies of those bond accounts in proportion to the amounts transferred to said bond accounts. *Provided*, further, that all salaries herein appropriated shall be paid in biweekly installments and the total of such items, other than salaries, shall be expended only if such be necessary. *Provided*, further, however, that implements and supplies of whatever kind to be purchased and/or sold under the terms of this act shall be purchased and/or sold only upon competitive bids

each quarter after advertisement for at least one week previous to the letting of such contract in at least two issues of a newspaper published in Columbia, S. C., which advertisements shall set forth the articles and the approximate amount, quantity, measure and number thereof to be purchased and/or sold, and the said contract of purchase and/or sale shall be awarded to the lowest responsible bidder for the period of one quarter. *Provided*, further, that in case of actual emergency, but in no other event, the supervisor may purchase without competitive bids, where the cost thereof does not exceed two hundred dollars, and under no circumstances shall purchases be divided in order to come within this limitation. *Provided*, further, that no bill, account or claim against the county shall be paid unless contracted for under such competition or purchased by the supervisor in the above-mentioned case of actual emergency and unless the claims be filed for audit within thirty days from the time a cause of action arises. *Provided*, further, that no official or board shall in any way create a debt or overdraw by warrant or otherwise the specific appropriations made for his or its specific office or department. It shall be a criminal offense for any official or board to overdraw his or its appropriations, knowing in advance that such has been used.

ITEM 1. ADMINISTRATIVE DEPARTMENT

(A) 1. Auditor's Office

Salary, Auditor	\$ 3,905.00
Travel and Official Expenses, Auditor	430.00
Salary, Deputy Auditor	3,930.31
Travel and Official Expense, Deputy Auditor	430.00
Salary, Deputy Auditor	3,930.31
Travel and Official Expense, Deputy Auditor	430.00
Salary, Clerk	3,333.41
Salary, Clerk	3,333.41
Salary, Clerk	3,307.41
Salary, Clerk	3,333.41
Extra Hire, if so much be necessary, at discretion of the Auditor	7,500.00
	33,863.26

(B) TREASURER'S OFFICE

Salary, Treasurer	3,905.00
Travel and Official Expense, Treasurer	430.00

Salary, Deputy Treasurer	3,930.31
Official Expense, Deputy Treasurer	430.00
Salary, Chief Clerk	3,726.82
Salary, Fee Clerk	3,383.41
Salary, Clerk	3,513.41
Salary, Clerk	3,513.41
Extra Clerk Hire, if so much be necessary ..	3,500.00
Bank Charges	300.00
Bond Premium to cover employees who handle money, if so much be necessary	500.00

\$ 27,132.36

Provided, however, if the State fails to pay Auditor and Treasurer a portion of their salary, then such amount is hereby appropriated as to bring their respective salaries up to \$7,205.00 and no more.

(C) CLERK OF COURT'S OFFICE

Salary, Clerk of Court	7,205.00
Travel and Official Expense, Clerk of Court	430.00
Salary, Deputy Clerk of Court	4,290.31
Official Expense, Deputy Clerk of Court	430.00
Salary, Court Deputy	3,930.31
Official Expense, Court Deputy	430.00
Salary, Court Deputy	3,902.31
Official Expense, Court Deputy	430.00
Salary, Record Clerk	3,546.82
Salary, Chattel Clerk	3,333.41
Salary, Clerk	3,307.41
Salary, Clerk	3,225.41
Salary, Clerk	3,225.41
Salary, Clerk	2,979.50
Repairing of books, if so much be necessary ..	2,000.00
Purchase of four, four-drawer legal files without locks	479.77
Purchase of two, four-drawer legal files with locks	269.22
Purchase of two roller shelf units plus end panels	307.99

\$ 43,722.87

() 1. SUPERVISOR'S OFFICE

Salary, Supervisor	7,205.00
Travel and Official Expense, Supervisor	430.00
Salary, Deputy Supervisor and County Engineer	5,245.76
Travel and Official Expense, Deputy Supervisor and County Engineer	430.00
Salary, Clerk of Board	4,572.46
Salary, Assistant Clerk of Board	3,897.23
Seven Commissioners at \$175.00 per month each	14,700.00
Official Travel Expenses, Commissioners at \$50.00 per month each	4,200.00
For Advertising, if so much be necessary	500.00
Stamps for all County offices, if so much be necessary	5,000.00
Stationery and Supplies for all County offices	27,000.00
Officers' Bonds	1,650.00
Auditing County Records	5,000.00
Salary, County Attorney	3,834.00
State Fund, premium for period through September 30, 1960, if so much be necessary	5,278.40
Purchase of one adding machine	300.00

89,242.85

Provided, that the compensation so fixed for the County Attorney does not include compensation for abstracting titles to real estate or handling bond issues for any board or agency of Richland County; and the County Attorney may charge any board or agency for such services the minimum fee approved by the Richland County Bar Association. *Provided*, further, that the County Attorney may not use the services of any attorney on the delegation for abstracting the title to real estate or handling bond issues for any board or agency of Richland County. *Provided*, further, that the Richland County Board of Commissioners shall meet once every two weeks

in the office of the County Supervisor at the call of the County Supervisor. *Provided*, that the audit for the Columbia Hospital, Richland County Health Department, the Richland County Public Library and Richland County Teachers' Retirement Fund shall be made by the same firm that is selected annually to audit the books and records of Richland County. *Provided*, that the total cost shall not exceed five thousand dollars, including the amount appropriated for auditing county records. *Provided*, further, that eight hundred dollars of the total cost thereof shall be drawn from funds of the Columbia Hospital and likewise one hundred fifty dollars from funds of the Library; *provided*, that all supplies be obtained through and from the Supervisor's office by requisition.

(D) II. COUNTY JAIL

Salary, County Jailer	3,713.65
Travel and Official Expense, County Jailer ..	360.00
Salary, Assistant Jailer	3,004.33
Salary, Helper at Jail	2,858.33
Salary, Helper at Jail	2,858.33
Salary, Helper at Jail	2,798.33
Salary, Helper at Jail	2,798.33
Salary, Helper at Jail	2,616.33
Salary, Matron at Jail	1,742.00
Supplies and Dieting at Jail	12,000.00
Repairs	1,000.00
Purchase of Uniforms	900.00

36,649.63

Provided, that the County Jailer shall file a monthly report with the Supervisor showing the daily number of prisoners, both State and Federal, at the jail, and the per capita cost of dieting per day. *Provided*, further, that all monies paid by the Federal Government or municipalities for dieting of prisoners con-

fined in the Richland County Jail shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriation hereinabove provided for supplies and dieting at the jail the Richland County Board of Commissioners shall have the right to use such monies paid by the Federal Government or municipalities to supplement the said appropriation, if necessary, and that complete records of same be maintained and included in the annual County Audit.

(E) TAX COLLECTOR'S OFFICE

Salary, Tax Collector	4,524.46
Travel and Official Expense, Tax Collector ..	480.00
Salary, Assistant Tax Collector	3,618.32
Official Travel, Assistant Tax Collector	900.00
Salary, Assistant Tax Collector	3,540.32
Official Travel, Assistant Tax Collector	900.00
Salary, Deputy Tax Collector	3,546.82
Travel and Official Expense, Deputy Tax Collector	430.00
Salary, Assistant Clerk	3,333.41
Salary, Stenographer	3,030.41
Extra Hire, if so much be necessary	250.00
Rent of I.B.M. Key Punch and Sales Tax ...	741.60
Service Bureau Corp. (I.B.M. work)	900.00
Purchase of adding machine	291.96
Purchase of two roller shelf bookcase units without doors	273.13
Purchase of one new typewriter (trade one old one)	177.22
Labor and material for installation of seven shelves	112.34
Covering of one desk	5.50

 27,055.49

Provided, that the Assistant Tax Collectors for Richland County be deputized by the Sheriff for Richland County.

(F) SECRETARY TO DELEGATION

Salary	3,130.00
Office Supplies	360.00

 3,490.00

(G) ASSESSMENT

Board of Assessment Control, School District No. 1	26,627.33
Assessors for Board of Trustees, School Districts Nos. 2, 5 and 6, if so much be necessary	2,000.00
Board of Assessment Appeals, if so much be necessary	1,500.00

 30,127.33

Provided, that members of the Board of Assessors for School Districts 2, 5, and 6 shall receive \$12.50 per day, and each of them shall be paid direct by the Supervisor upon properly executed vouchers presented based upon work actually performed. *Provided*, further, that the members of the Richland County Board of Assessment Appeals shall receive \$12.50 per day each, and shall be paid under the same procedure as provided above in regard to the members of the Board of Assessors for said School Districts.

 TOTAL ITEM 1\$291,283.79

ITEM 2. JUDICIAL DEPARTMENT

(A) COURT OF COMMON PLEAS AND
GENERAL SESSIONS

Clerk, Jurors and Witnesses	\$ 30,000.00
Court Stenographer	1,093.16
Official Expense, Solicitor, Fifth Judicial Circuit	1,450.00
Official Expense, Circuit Judge, Fifth Judicial Circuit	1,500.00
Salary, Assistant Solicitor	5,668.00

Salary, Assistant Solicitor for Richland County	3,600.00
Purchase of typewriter, Circuit Court Reporter's Office	163.21

43,474.31

Provided, that the bailiffs and Court Crier employed for the Court of Common Pleas and General Sessions shall receive eight dollars and fifty cents per day. *Provided*, that no more than four bailiffs and one Court Crier be appointed for such duties. *Provided*, that the Clerk of Court shall not pay more than thirty-four dollars per day for bailiffs. *Provided*, that the jury boy or girl employed by the Court of Common Pleas and General Sessions of Richland County shall receive five dollars per day. *Provided*, that out of the funds herein appropriated for jurors and witnesses the Clerk of Court is authorized and directed to pay for the printing of the roster for the Common Pleas Court and County Court which rosters are arranged by the County Judge and Bar Association. *Provided*, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Judge is hereby authorized to use for stenographic services not to exceed the sum of \$2,667.93. *Provided*, further, that the members of the Richland County Grand Jury shall receive a per diem of \$5.00 for each day such grand jury meets as a body of the whole during the year 1959-60. *Provided*, further, that the petit jurors for the Court of Common Pleas and General Sessions of Richland County shall be paid at the rate of \$5.00 per day. *Provided*, further, however, that where petit jurors in the Court of Common Pleas or General Sessions are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or subsequent

days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of per diem payment.

Provided, further, that out of the funds herein appropriated for jurors and witnesses the Circuit Solicitor is hereby authorized to use for special services the sum not to exceed \$1,600.00.

(B) COUNTY COURT

Salary, Senior County Judge	11,435.00
Travel and Official Expense, Senior County Judge	430.00
Salary, County Judge	7,935.00
Official Expense, County Judge	430.00
Salary, County Court Stenographer	4,908.00
Salary, County Court Junior Stenographer ..	4,156.00
Salary, County Court Bailiff and Clerk	3,620.90
Official Expense, County Court Bailiff and Clerk	400.00
Clerk, County Court Expenses	16,000.00
Salary, County Court Bailiff	3,620.90
Official Expenses, County Court Bailiff	400.00
Salary, Part-time County Court Bailiff	2,870.00
Official Expense, County Court Bailiff	240.00

56,445.80

Provided, that the Senior County Judge may employ not more than two bailiffs at \$8.50 per day. *Provided*, further, that out of the funds herein appropriated for County Court expenses, the Senior County Judge is authorized to use as much as one hundred dollars for additions to County Law Library. *Provided*, further, that the petit jurors for the County Court shall be paid at the rate of \$5.00 per day served. *Provided*, further, however, that where petit jurors in the County Court are excused for a full day, such jurors shall not be paid a per diem for such days but if they should be required to return the next or sub-

sequent days during that week, then and in such event, the jurors shall receive mileage whenever entitled thereto in lieu of the per diem payment.

(C) JUVENILE-DOMESTIC RELATIONS COURT

Salary, Judge	7,935.00
Travel and Official Expense, Judge	430.00
Salary, Probation Officer	5,292.35
Official Expense, Probation Officer	600.00
Salary, Assistant Probation Officer	4,355.46
Official Expense, Assistant Probation Officer	600.00
Salary, Assistant Probation Officer	4,355.46
Official Travel Expense, Assistant Probation Officer	600.00
Salary, Chief Clerk	3,500.00
Salary, Stenographer Clerk	2,695.67
Salary, Stenographer Clerk	2,643.67
Salary, Clerk	2,513.67
Court Expense	1,300.00
Deputy, Juvenile-Domestic Relations Court ..	3,915.31
Official Travel Expenses, Deputy, Juvenile-Domestic Relations Court	900.00
Fund for Court Reporting Service, if so much be necessary	500.00
Purchase of three, four-drawer legal files (\$140.00 each), if so much be necessary	420.00
Purchase of one, four-drawer letter file, if so much be necessary	110.00

42,666.59

Provided, that the Deputy, Juvenile-Domestic Relations Court be deputized by the Sheriff of Richland County, *Provided*, further, that the Sheriff's office shall be relieved of the responsibility of serving any legal papers for the Juvenile-Domestic Relations Court.

(D) JUDGE OF PROBATE'S OFFICE

Salary, Judge of Probate	7,205.00
Travel and Official Expense, Judge of Probate	430.00

Salary, Chief Clerk	4,134.00
Salary, Assistant Clerk	3,684.00
Salary, Court Reporter	3,684.00
Expenses and Publications	165.00
Purchase of Electric Typewriter, if so much be necessary	450.00
Purchase of Dictating Machine, if so much be necessary	200.00

19,952.00

(E) MASTER'S OFFICE

Salary, Master	7,205.00
Travel and Official Expense, Master	430.00
Salary, Court Reporter	4,387.05
Salary, Assistant Court Reporter	3,827.31
Salary, Bookkeeper	3,533.41
Extra Clerical Hire, if so much be necessary ..	2,000.00

21,382.77

(F) STANDING MASTER'S OFFICE

Salary, Standing Master	4,768.20
Official Expense, Standing Master	600.00
Stenographic Services	2,901.92
Extra Clerical Hire, if so much be necessary ..	500.00

8,770.12

Provided, that the Standing Master shall charge and turn over to the Treasurer of Richland County the same fees as the regular Master.

TOTAL ITEM 2\$192,691.59

ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) SHERIFF'S OFFICE

Salary, Sheriff	\$ 7,205.00
Travel and Official Expense, Sheriff	430.00
Salary, Chief Deputy	4,494.00
Salary, Identification Officer	4,236.00
Salary, County Deputy and Juvenile Officer ..	4,176.00
Salary, County Deputy and Process Server ..	4,494.00

Salary, County Deputy (more than 5 years employment)	3,915.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,807.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,807.31
Salary, County Deputy	3,859.31
Salary, County Deputy	3,807.31
Salary, County Deputy	3,636.00
Salary, County Deputy	3,636.00
Salary, County Deputy	3,480.00
Salary, Night County Deputy and Courthouse Watchman	3,636.00
Salary, Secretary	3,490.00
Salary, Secretary	2,643.67
Long distance telephone and transportation of prisoners, if so much be necessary	2,800.00
Fingerprint and photo supplies	500.00
Radios and Equipment	2,000.00
Contingent Fund	500.00
Deputy Sheriff—Uniforms, Plain Clothes and Equipment	3,600.00
Insurance, fuel, repairs and maintenance of county-owned Sheriff's cars, if so much be necessary	14,500.00
Three new cars (3 old ones to be traded in), if so much be necessary	4,000.00
Purchase of new office chair and typewriter, if so much be necessary	375.00

135,480.63

Provided, that uniforms and plain clothes requested by the Sheriff to be used in the law enforcement division shall be purchased semiannually by the County Board of Commissioners on competitive basis as needed; *provided*, further, that the time of purchase of summer uniforms and clothes be changed in order to be available for use prior to July of preceding fiscal year. *Provided*, that the Sheriff's office take care of necessary summonses or processes issued by the Judge of Probate. *Provided*, further, that the duties of County Deputies and Deputy Sheriff be defined by the Acts of 1932. *Provided*, further, that all clothes, equipment and supplies furnished by the Sheriff's office to the Deputies shall be returned to the Sheriff's office immediately after such Deputy shall cease to be employed by the county. *Provided*, further, that the appropriation for long distance telephone and transportation of prisoners be drawn only by proper warrants, such transportation to be used only for prisoners from beyond the borders of Richland County. *Provided*, further, that the County Deputies shall serve papers for Magistrate at Lykesland. *Provided*, further, that the Court Deputy shall serve as one of the Court Bailiffs, if required to do so by the Sheriff without additional remuneration.

(B) CORONER'S OFFICE

Salary, Coroner	5,775.00
<i>Provided</i> , the office of the Coroner shall be a full time office.	
Travel and Official Expense	1,200.00
Coroner's Deputy, Official Expenses	480.00
Stenographic Services, if so much be necessary	1,275.00
Jurors and Communication Expenses	700.00
	9,430.00

Provided, that the Coroner shall call upon County Physicians to hold Post Mortem examinations. *Provided*, further, that the Coroner attest and furnish such affidavits as might be necessary to the Treasurer. *Provided*, further, that the Coroner pay each juror two dollars as a jury fee.

Provided, also that the Coroner shall use his best discretion in having inquests taken down by a stenographer to the end that \$1,275.00 herein appropriated for stenographic services shall in no event be exceeded.

(C) MAGISTRATES AND CONSTABLES

Blythewood, Magistrate, Salary	2,108.00
Blythewood, Magistrate, Official Travel	300.00
Blythewood, Magistrate, Office Rent	120.00
Blythewood, Constable, Salary	1,690.00
Columbia, Magistrate, Salary and Expense ..	3,808.00
Columbia Magistrate, Stenographer, Salary ..	3,593.50
Columbia, Constable, Salary	3,116.08
Columbia, Constable, Official Travel	300.00
Columbia Magistrate, Purchase of one new typewriter (trade one old one), if so much be necessary	163.21
Dutch Fork, Magistrate, Salary	2,800.00
Dutch Fork Magistrate, Official Travel	450.00
Dutch Fork Magistrate, Office Rent	420.00
Dutch Fork, Constable Salary	3,208.00
Dutch Fork, Constable, Official Travel	800.00
Eastover, Magistrate, Salary	2,308.00
Eastover Magistrate, Official Travel	600.00
Gadsden, Magistrate, Salary	2,108.00
Gadsden, Official Travel	300.00
Eastover and Gadsden, Constable, Salary ...	3,584.00
Eastover and Gadsden, Constable, Official Travel	750.00
Garners, Magistrate, Salary	2,608.00
Garners, Magistrate, Official Travel	300.00
Garners, Magistrate, Rent and Office Expenses	240.00

Garners, Constable, Salary	3,100.00
Garners, Constable, Official Travel	300.00
Hopkins, Magistrate, Salary	2,282.00
Hopkins, Magistrate, Official Travel	300.00
Hopkins, Magistrate, Office Rent, Lights, Fuel and Telephone	425.00
Hopkins, Constable, Salary	2,882.00
Hopkins, Constable, Official Travel	750.00
Killian, Magistrate, Salary	2,308.00
Killian, Magistrate, Official Travel	600.00
Killian, Magistrate, Rent, Supplies and Tel- phone	600.00
Killian, Constable, Salary	2,608.00
Killian, Constable, Official Travel	480.00
Lykesland, Magistrate, Salary	2,608.00
Lykesland, Magistrate, Official Travel	300.00
Olympia, Magistrate, Salary	4,134.00
Olympia, Magistrate, Rent and Official Ex- pense	900.00
Olympia, Constable, Salary	3,714.00
Olympia, Constable, Official Travel	1,500.00
Pontiac, Magistrate, Salary	2,308.00
Pontiac, Magistrate, Official Travel and Rent	600.00
Pontiac, Constable, Salary	2,308.00
Pontiac, Constable, Official Travel	300.00
Upper Township, Magistrate, Salary	4,134.00
Upper Township, Magistrate, Rent and Offi- cial Travel Expense	900.00
Upper Township, Constable, Salary	2,908.00
Upper Township, Constable, Official Travel ..	600.00
Waverly, Magistrate, Salary and Expense ..	3,834.00
Waverly, Magistrate, Rent, Office Expense and Telephone	1,128.00
Waverly, Magistrate, Installation of Telephone ..	19.00
Waverly, Constable, Salary	3,116.08
Waverly, Constable, Official Travel	300.00
Waverly, Stenographer, Salary	2,383.94
Magistrates' Forms	100.00
Uniforms for Magistrates' Constables	1,000.00

 91,404.81

Provided, that the stenographer for Waverly Magistrate shall serve Magistrate at Olympia and any other Magistrate on call; that such stenographer shall be employed at a salary not exceeding \$2,383.94 per year. *Provided*, further, that any Magistrate's Constable to whom a uniform has been or is hereafter issued shall wear such uniform at all times when performing his official duties. *Provided*, further, that the Magistrates of Columbia, Eastover, Garners, Hopkins and Waverly shall be allowed one additional Constable who shall serve without pay. *Provided*, further, that all Magistrates establish office hours or schedule of hours and certain designated places for trying cases in their respective districts. *Provided*, further, that out of the one hundred dollars for Magistrates' forms herein appropriated, the Supervisor and County Board of Commissioners shall purchase serially numbered receipts, in triplicate, in sufficient detail so as to provide all pertinent information with respect to cases handled by Magistrates in Richland County; and said Supervisor and Board of Commissioners shall deliver said receipts to the Treasurer of Richland County, advising how same shall be used. *Provided*, further, that each Magistrate shall make and file with the County Supervisor, each month, a verified report of criminal cases begun before him and their status and disposition, together with a list of all fines collected. The County Supervisor shall not pay any salary to any Magistrate until he has made and filed the verified report herein required and, further, each Magistrate shall be required to produce and display to the Supervisor the Treasurer's receipt showing that the fines listed as being collected on his report have been paid to the Treasurer, and the Treasurer shall indicate by

his stamp thereon that the fines have been paid to the Treasurer and the amount and the date on which the fines were paid, before the Supervisor shall release the Magistrate's pay warrant to him.

TOTAL ITEM 3 \$236,315.44

ITEM 4. ROADS AND BRIDGES

(A) ROADS, CONVICTS AND BRIDGES .. \$122,500.00

Salary, 3 Captains of Guard	10,789.94
Salary, 1 Captain of Guard	3,505.98
Salary, 3 Foremen of Guards	8,738.26
Salary, 1 Foreman of Guards	2,783.42
Salary, 9 Patrol Operators	26,611.78
Salary, 24 Guards	64,248.25
Salary, 1 Mechanic	3,496.98
Salary, 1 Mechanic	3,414.98
Salary, 1 Chaplain	1,100.00
Salary, 1 Chaplain	1,100.00
Official Travel, 4 Captains @ \$60.00 per month each	2,880.00
Replacement of old equipment, if so much be necessary	30,000.00
Road, Street and School signs, if so much be necessary	2,000.00

\$283,169.59

Provided, that the Captains of Guards, Foremen of Guards, Patrol Operators and Guards employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

(B) FARM-TO-MARKET PAVING

Salary, Superintendent	4,549.86
Travel and Official Expense of Superintendent	400.00
Salary, Project Engineer	3,406.00
Salary, Stenographer	3,099.41
Salary, Guard	3,181.88
Salary, 8 Operators	33,653.28

Official Expense, Supervisor	600.00
Official Expense, Engineer	600.00
	49,490.43

Provided, that all monies saved on farm-to-market paving contracts handled by the Supervisor and Richland County Board of Commissioners shall be placed in a special account in the Treasurer's office to be used for paving or equipment used in such paving program upon the approval of the Senator and a majority of the Richland County House Delegation.

Provided, further, that the operators employed by Richland County be paid on the basis of the salary formula as applied to all other county employees.

TOTAL ITEM 4		\$332,660.02
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ITEM 5. PUBLIC HEALTH AND WELFARE

(A) HOSPITALIZATION

1. Columbia Hospital

Inpatient charity	\$300,000.00
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To be paid only upon claims of said Columbia Hospital to be presented monthly for hospital costs and expenses of charity patients, both white and colored, who are residents of Richland County, South Carolina, and admitted by said hospital, all of such claims to be based on a charge of twelve dollars per day per patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed twenty-five thousand dollars per month; *provided*, further, that such advance shall not exceed the patient per diem claim filed by the Columbia Hospital for the preceding month, and *provided*, further, that the Board of Trustees of the Columbia Hospital is authorized to place indigent patients in

nursing homes of its selection at costs not to exceed \$42.00 per month to the hospital or to pay such money over to the Public Welfare Department for such purposes, and to pay same out of the amount hereinabove appropriated.

Outpatient charity clinic 24,000.00

Provided, that the Board of Trustees of the Columbia Hospital is authorized to hire a part-time director of the clinic at a salary not to exceed \$4,000.00 per year to be paid out of the amount hereinabove appropriated. *Provided*, that said hospital shall cooperate with the State Board of Health and work in conjunction with the County Physicians.

II. Richland Anti-Tuberculosis Association 58,960.65

382,960.65

(B) VITAL STATISTICS 2,500.00

2,500.00

(C) COUNTY HEALTH DEPARTMENT ... 44,015.00

44,015.00

Provided, that all fees collected by the Health Department shall be deposited with the County Treasurer to be credited on the County General Fund; *provided*, further, that none of the above appropriation shall be spent without the approval of the County Health Officer; *provided*, further, that there shall be appropriated out of the Richland County Contingent Fund to the Richland County Health Department, in addition to the amount provided above, such amount as may be necessary to provide a sum equal to twenty cents per capita for the County's population according to the 1950 Federal Census; *provided*, further, that the Director of the County Health Department shall file with the County Board of Commissioners an item-

ization of the above appropriation of \$44,-
015.00 on or before July 1, 1959.

(D) SALARY, TWO COUNTY PHYSICIANS 3,618.68

3,618.68

Provided, that six hundred dollars of the above amount shall be paid to the County Physicians for mental examinations of service men and women for admittance to the Veterans Administration Hospital.

(E) WELFARE AGENCIES

(1) Carolina Children's Home 7,500.00

Provided, that no monthly vouchers shall exceed the number of Richland County children certified by the proper authorities, and payment to be made on the basis of fifteen dollars per month per child and at no time shall the number exceed fifty children.

(2) Association of the Blind for South Carolina.. 2,000.00

(3) Traveler's Aid Society 600.00

10,100.00

(F) CONVALESCENT HOME

Salary, Superintendent 3,361.24

Salary, Matron 1,630.00

Salary, Maintenance Man 2,278.00

Salary, 2 Nurses @ \$2,140.00 each 4,280.00

Salary, 1 Nurse 2,062.00

Salary, 1 Cook 1,420.00

Salary, 1 Cook 1,256.00

Salary, 1 Laundress 1,420.00

Salary, 1 Maid 1,144.00

Salary, 1 Watchman 1,854.00

Supplies, operation and maintenance 16,217.14

Repairs 1,000.00

37,922.38

Provided, that the Superintendent shall be appointed by the Supervisor, and shall be a person having a suitable medical background and

training; *provided*, further, that all monies by way of pensions, contributions or otherwise, paid from any source other than Richland County for maintenance and board of any person maintained and cared for in the Richland County Convalescent Home, shall be turned over and become part of the Richland County General Fund. *Provided*, further, however, that in addition to the appropriations hereinabove provided for supplies, operation and maintenance, the Richland County Board of Commissioners shall have the right to use such monies so paid to supplement the maintenance, support and care of persons maintained and cared for in the Richland County Convalescent Home if necessary.

Provided, further, that complete records of same be maintained and included in the annual county audit.

(G) COUNTY SERVICE OFFICER

Salary, County Service Officer	4,000.00
Official Expense, County Service Officer	240.00
Salary, Assistant Service Officer	3,352.91
Official Expense, Assistant Service Officer ..	240.00
Supplies and Equipment	267.09

8,100.00

(H) DEPARTMENT OF PUBLIC WELFARE

Salary, Director (Supplement)	1,676.50
Official Travel, 4 Welfare Workers	1,920.00
Supplement to salaries of employees	2,880.00
Child Welfare Account, Clothing, Boarding Homes, etc.	2,500.00
Emergency Fund	2,000.00
Rent, Lights, Heat, Water and Janitor Service	4,980.00
Telephone	600.00

16,556.50

(I) CHILDREN'S HOME

Salary, Superintendent	2,342.00
Salary, Manager	2,162.00

Salary, Matron	1,990.00
Salary, Janitor and Wife	1,864.00
Operating and Maintenance	8,100.00
	16,458.00

Provided, that all funds received by the Children's Home from other sources be turned over to the Treasurer of Richland County.

TOTAL ITEM 5\$522,231.21

ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) Salary, County Ranger	\$ 949.18
(B) (1) Maintenance and Operation of county-owned jeeps	1,500.00
<i>Provided</i> , that the above amount should be expended on the basis of twenty-five dollars per month per county-owned jeep, if so much be necessary.	
(C) Salary, Farm Demonstration Agent	1,679.00
(D) Official Travel, Farm Demonstration Agent	180.00
(E) Salary, Assistant Farm Demonstration Agent	818.00
(F) Salary, Stenographer, Farm Demonstration Agent	1,380.00
(G) Salary, Home Demonstration Agent	924.00
(H) Official Travel, Assistant Home Demonstration Agent, if so much be necessary	720.00
(I) Salary, Stenographer, Home Demonstration Agent	1,062.00
(J) Materials for Home Demonstration Agent and Assistant Home Demonstration Agent	100.00
(K) White Boys' 4-H Club Work	150.00
(L) White Girls' 4-H Club Work	150.00
(M) (1) Salary, Colored Farm Demonstration Agent	1,260.00
(2) Demonstration Materials, Colored Farm Demonstration Agent	100.00
(3) Portable Sewing Machine	113.27
(4) One enamel top table	10.00
(5) One electric steam iron	19.00

(6) One mimeoscope machine	110.00
(N) Salary, Stenographer for Colored Farm Demonstration Agent	2,442.00
(O) Salary, Colored Home Demonstration Agent	1,112.00
(P) (1) Office rent, Colored Home Demonstration Agent	680.00
(2) Lights, water and fuel, and expenses, Colored Home and Farm Demonstration Agent	288.00
(Q) Materials, Colored Home Demonstration Agent	100.00
(R) Colored Boys' 4-H Club Work	150.00
(S) Colored Girls' 4-H Club Work	150.00
(T) F. F. A. Club Work	150.00
(U) Cattle Breeders Association	2,400.00
(V) (1) Rent for Farm and Demonstration Agents and Forest Ranger, if so much be necessary	7,620.00
(2) Long distance telephone, Farm Demonstration Agent	100.00
(3) Long distance telephone, Home Demonstration Agent	50.00
(4) Long distance telephone, Colored Farm Demonstration Agent	50.00
TOTAL ITEM 6	\$ 26,516.45

ITEM 7. PUBLIC BUILDINGS

(A) Courthouse Bonds	\$ 18,000.00
(B) Lights, Water and Fuel	5,000.00
(C) Telephones	4,200.00
(D) Insurance—Burglary and Theft	4,400.00
(E) Salary, Chief Janitor	2,431.24
(F) Salary, Janitor	2,329.94
(G) Salary, Janitor	2,303.94
(H) Salary, Janitor	2,303.94
(I) Salary, Janitor (employed less than 5 years)	2,191.94
<i>Provided, the Chief Janitor and Janitors shall work under the direction and supervision of the Clerk of Court for the purpose of keeping the Courthouse and grounds of the Courthouse cleaned properly at all times, and shall perform</i>	

such other county duties as the Clerk of Court may assign to them. They shall work such hours as the County Clerk may prescribe.

(J) Salary, Elevator Operator	2,589.63
(K) Salary, Elevator Operator	2,511.63
(L) Elevator Maintenance	600.00
(M) (1) Salary, Engineer, Courthouse	4,007.22
(2) Official Expense, Engineer, Courthouse	430.00
(N) Expense of Repairs and Maintenance, Court- house, if so much be necessary	1,000.00
(O) Salary, Maid	1,430.00

TOTAL ITEM 7\$ 55,729.48

ITEM 8. MENTAL HEALTH CLINIC\$ 14,916.67

TOTAL ITEM 8\$ 14,916.67

ITEM 9. MISCELLANEOUS CONTINGENT

(A) For tenure, County Employees, twenty-five years service	\$ 1,170.00
(B) National Guard Units in Richland County.. <i>Provided</i> , that said sum shall be allocated to the National Guard Units in Richland County not on active duty.	6,500.00
(C) Livestock Exhibit, if so much be necessary..	500.00
(D) (1) Board of Registration	3,500.00
<i>Provided</i> , that the members of the Board of Registration shall be paid at the rate of ten dollars per day actually served.	
(E) Contingent Fund	5,000.00
(F) Good Samaritan-Waverly Hospital, if so much be necessary, for charity	22,500.00
<i>Provided</i> , that this amount shall be paid only upon claims of the Good Samaritan-Waverly Hospital to be presented monthly for hospital costs and expenses of charity patients, who are residents of Richland County, South Carolina, and admitted by said hospital. All of such claims to be based on a charge of \$7.50 per day, per patient for the first thirty days of hospitalization of a particular patient; on a	

basis of \$3.00 per day on the next succeeding thirty days of hospitalization of such patient, and thereafter on a basis of \$2.50 per day for succeeding days of hospitalization for that patient; *provided*, that the County Treasurer is hereby authorized to advance the foregoing appropriation at an amount not to exceed \$1,875.00 per month; *provided*, further, that such advance shall not exceed the patient per diem claim filed by the Good Samaritan-Waverly Hospital for the preceding month.

(G) Richland County Library	46,450.00
(H) Junior League School of Speech Correction..	3,500.00
(I) Carolina Carillon	2,000.00
(J) Richland County School of Art	8,000.00
(K) Richland County A. S. C. Committee, rent and other expenses, if so much be necessary..	2,160.00
(L) Town of Eastover, toward purchase of fire truck	1,000.00

Provided, the Mayor and Councilmen of the Town of Eastover raise at least \$1,000.00 and show to the Board of Commissioners that such amount is raised and available and that the combined amounts are to be applied on the purchase of such fire truck, and *provided*, further, the people in the surrounding area outside the corporate limits of the Town of Eastover shall be served on the same basis as those living within said limits.

(M) North Trenholm Road Fire Department	1,500.00
<i>Provided</i> , that the President and Board of Directors of the North Trenholm Road Fire Department raise at least \$1,500.00 and show to the Board of Commissioners that such amount is raised and available and that the combined amounts are to be applied on the purchase of such fire truck and equipment, and <i>provided</i> , further, that all persons within the area covered by the Charter of North Trenholm Fire Department be served.	

(N) Civil Defense	1,343.00
(O) Radio Amateur Civil Emergency Service of the Richland County Civil Defense, for surplus equipment	600.00
(P) Columbia Township Auditorium	4,263.28
(Q) Columbia-Richland County Industrial De- velopment Commission, if so much be neces- sary	15,000.00

TOTAL ITEM 9\$124,986.28

GRAND TOTAL\$1,797,330.93

ITEM 10. EDUCATION DIVISION

(A) Board of Education	
Salary, Superintendent of Education	\$ 3,080.00
<i>Provided</i> , however, if the State fails to pay the Superintendent of Education a portion of his salary, then such amount is hereby ap- propriated as to bring his salary up to \$7,- 205.00 and no more.	
Official Travel, Superintendent of Education	900.00
Salary, Chief Clerk	3,638.90
Salary, Clerk	2,618.55
Salary, Clerk, Supplement to State Aid	1,000.00
Per diem and mileage, seven County Board of Education members, if so much be necessary	1,000.00
Extra Clerk Hire, if so much be necessary ..	300.00
Utilities and Incidentals	800.00

13,337.45

(B) SPECIAL SERVICES

Salary Supplement of School Lunch Super- visor	2,266.00
Salary Supplement of Visiting Teacher	2,266.00
Official Travel, Visiting Teacher	750.00
Salary, Coordinator of Instruction	4,394.00
Official Travel, Coordinator of Instruction ..	660.00
Salary, Jeanes Supervisor	3,214.32
Official Travel, Jeanes Supervisor	528.00
Rent, Utilities, Jeanes Supervisor	525.00

Workmen's Compensation Insurance	1,000.00
Employees' Bond	293.03
	15,896.35

TOTAL ITEM 10\$ 29,233.80

Provided, that the expenditures listed in Item 10 shall be paid from the fifteen-mill tax levied as an equalization fund for the several school districts and the remainder shall be distributed as directed below:

There is hereby levied on all taxable property of Richland County a school equalization levy of fifteen mills, and in addition thereto, there is levied on all taxable property in the school districts, respectively, the tax authorized by law, to wit: in School District No. 1, a tax of twenty-six mills for local school purposes; in School District No. 2, a tax of eight mills for local school purposes; in School District No. 5, a tax of nine mills for local school purposes; in School District No. 6, a local school levy, as shall be recommended by the board of trustees of School District No. 5 of Lexington County, of which School District No. 6, Richland County, is a part. *Provided*, that the tax levy for local school and debt service purposes in the Richland County School District No. 6 portion of the district shall not exceed the local school and debt service tax levied on the taxable property of the district in the Lexington County portion of Lexington County School District No. 5. The fifteen-mill school equalization levy shall be collected by the Treasurer of Richland County and both back tax and current tax collections shall be distributed to the districts of the county on a per pupil average daily attendance basis for the fiscal year prior to the collection. *Provided*, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed thirteen thousand three hundred thirty-seven dollars and forty-five cents, as set forth in Section (A) above, from the proceeds of the fifteen-mill tax referred to above, which sum shall be used for the purpose of paying salaries and expenses of the office of the County Superintendent of Education for the fiscal year 1959-60. *Provided*, further, that the Treasurer of Richland County shall transfer to the Richland County Board of Education Fund a sum not to exceed fifteen thousand eight hundred ninety-six dollars and thirty-five cents, as set forth in Section (B) above, said

sum to be used for the purpose of paying salaries and expenses for special services of the office of the Richland County Superintendent of Education rendered to Districts 2, 5, and 6 for the fiscal year 1959-60. This sum shall be transferred from that portion of the proceeds of the fifteen-mill equalization levy apportioned to School Districts Nos. 2, 5, and 6. *Provided*, that the local school boards of trustees of School Districts Nos. 1, 2, 5, and 6 of Richland County shall expend annually as textbook aid from the proceeds of the fifteen-mill equalization fund a sum of not less than two dollars and fifty cents per pupil officially enrolled in grades one through six, inclusive.

SECTION 2. It shall be the duty of the head of each department to inquire of the Clerk of the County Board of Commissioners, at the close of each quarter, the status of the appropriation for his department; and it shall be the further duty of the head of each department, if expenditures are running ahead of appropriations, to bring such expenditures in line with the appropriation. *Provided*, that if any department head exceeds the appropriation for his department, such overdraft shall be deducted from said department head's salary.

SECTION 3. The Treasurer of Richland County is hereby authorized and directed to turn over and deliver to the Board of Trustees of the Columbia Hospital of Richland County all operating funds legally due and in the control and possession of the Treasurer of Richland County for said hospital; and the Board of Trustees of Columbia Hospital of Richland County is hereby authorized and empowered to receipt for and deposit same and deposit all future operating receipts and revenues to its own account or accounts in a bank or banks in the City of Columbia, S. C., and disburse same by checks issued by the duly authorized officer or employee of said hospital.

SECTION 4. All of the county officers of Richland County may close their offices on Saturday of each week at twelve o'clock noon, except in emergency. *Provided*, that all county offices shall be open not later than nine o'clock A. M., and close not sooner than five o'clock P. M. on all other work days; and *provided*, further, that the minimum work week for all county employees shall be forty hours.

SECTION 5. The Board of Trustees of School District No. 1 shall file a copy of the annual audit of this school district in the office of

the Clerk of Court within ten days from the preparation thereof, for the benefit of the public, as other public documents are filed in said office. All charitable and other organizations which receive any part of their income from Richland County are hereby required to have an annual audit made at the end of their fiscal year and to file a copy thereof with the Richland County Delegation within ten days after the preparation thereof. Upon failure to file such reports as herein provided for, the Treasurer of Richland County is hereby directed to withhold further payments to said organization until such audit is filed.

SECTION 6. Nothing in this section contained shall apply to School District No. 1 of Richland County. In the payment of expenses incurred in all other school districts of the county a separate warrant or order, directed to the County Treasurer, signed by a majority of the Board of Trustees of the disbursing district, shall be issued direct to each payee in strict conformity with the general school law of South Carolina; *provided*, nevertheless, as follows:

In order to facilitate and expedite the payment of salaries of personnel in all categories regularly employed for a scholastic or calendar year, also for the payment of separate bills, amounting to less than one hundred dollars each for special services or school materials properly payable from school operation and maintenance funds, it shall be lawful for a Board of Trustees to issue a consolidated or "master" warrant on the said County Treasurer in the aggregate amount of all or any portion of the aforesaid salaries and bills due and payable in any current "school" or calendar month, such master warrant to be payable to the school district in the name of its previously designated disbursing agent, preferably the school district superintendent, though any other full time, adult employee of the district shall be eligible. Each master warrant shall have on its face or back, or on a sheet securely attached thereto, a complete list of all ultimate payees with the amount due to each plainly set forth; and, except for salaries aforesaid, there shall also be securely attached a separately printed or written, fully itemized statement from each ultimate payee showing the amount and nature of the services rendered or supplies furnished. The Richland County Board of Education may (by standing resolution embodying such restrictions as it may impose) authorize the County Superintendent of Education, in his discretion, to process all such master warrants for payment without prior reference to said county board. The processed master warrant shall be deposited by the

district's disbursing agent in a separate account in a Columbia F. D. I. C. bank to the credit of the school district and by such agent disbursed by check to the several payees named on the list aforementioned. All disbursing agents shall keep a neat and permanent record of all their transactions as such agents on uniform record and voucher prescribed by and furnished through the county board aforesaid, and these records shall be available to the public for inspection at all reasonable times. The County Superintendent of Education shall require all disbursing agents at the proper time to submit their records and vouchers to the auditors employed to make the annual audits of the Richland County records and such auditors shall check and verify same as an integral portion of the county school accounts. Each disbursing agent shall furnish the district at its expense a fidelity bond in the penal sum of not less than five thousand dollars, or as much more as the district board of trustees may deem advisable.

The conditions set forth in the foregoing proviso of this section are joint and not severable and the proviso, in its entirety is to be construed as an optional alternate procedure in paying salaries of whatever amount and separate bills, regardless of number, amounting to less than one hundred dollars each.

SECTION 7. All appropriations made herein and all unappropriated and unpledged surplus funds in the hands of the Treasurer of Richland County are subject to the right and authority of the Senator and at least one-half of the members of the House Delegation from Richland County to alter, increase or deduct therefrom at any time, when in their judgment, such alterations, increases or deductions are necessary for the best interest of the county and/or to conform with the revenue expected during the life of this act. *Provided*, however, that no such action shall be taken except in the course of a duly called public meeting of the delegation, after due notice to the heads of the respective departments to be thereby affected. The Treasurer of Richland County is authorized to extend credit for recording Federal Agricultural papers.

SECTION 8. All salaried constables in Richland County shall be deputized to preserve order in their respective magisterial districts.

SECTION 9. All county-owned automobiles, station wagons and trucks except two such automobiles used by the Sheriff's office, one for detective work and the other for process serving, and the automobile used by the Supervisor of Richland County, shall be, within ten

days from the effective date of this act, marked, stenciled or painted on both front doors of said vehicles as follows: "Richland County" (in letters not less than three inches in height) and directly under said words the name of the county department which operates these vehicles (in letters not less than two inches in height.) After ten days from the effective date of this act no person, company or corporation shall service, supply or equip any county-owned automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. After ten days from the effective date of this act no county funds shall be paid out for services to or supplies and equipment furnished for county-owned automobiles, station wagons or trucks which are not marked pursuant to the terms of this section. Heads of county departments or agencies shall maintain a list reflecting the make, model, serial number and South Carolina license number of all county-owned vehicles in his department or agency and shall report to the Richland County Delegation when any county-owned vehicles are traded or disposed of in any way whatsoever. The markings herein provided for shall be kept visible at all times.

SECTION 10. Whenever, during the effective period of this act, a vacancy occurs in any employee position or classification provided for in this act and in the judgment of the department or agency affected it is necessary to fill such position or classification, the person newly employed shall be hired at the lowest salary appropriated in this act for such position or classification within the department affected; and if there be no such other position or classification in such department the person newly employed shall be hired at the lowest salary for similar positions or classifications for other departments or agencies provided for herein.

SECTION 11. All revenues accruing to Richland County for reimbursement, or otherwise, in excess of the amount necessary to pay appropriations herein made, shall be allocated to the general fund.

SECTION 12. All appropriations made in this act for travel and/or official expense shall be paid on voucher properly probated, as needed by officials.

SECTION 13. All heads of departments shall employ replacements or new personnel at an initial salary of at least ten per cent less than the pay provided for such employees in the 1958-59 Richland County Supply Act.

SECTION 14. Any employee, who shall have tenure of twenty-five years or more in Richland County employ, shall receive an additional sixty-five dollars per year over and above the salary provided in this act.

SECTION 15. If any section, paragraph, item or provision of this act shall be held invalid by a court of competent jurisdiction, such invalidity held shall not affect, impair or invalidate any remaining section, paragraph, item or provision of this act.

SECTION 16. All acts or parts of acts inconsistent with this act are hereby repealed to the extent of such inconsistency.

SECTION 17. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R136, H1302)

No. 504

An Act To Validate The Ordinance Authorizing The Annexation Of A Certain Area, Now Entirely Owned By The Ridge Spring Sportswear Company, Inc. To The Town Limits Of The Town Of Ridge Spring.

Whereas, pursuant to a petition to the mayor and town council of the Town of Ridge Spring by the stockholders of the Ridge Spring Sportswear Company, Inc. requesting annexation of certain property of the sportswear company to the town limits of Ridge Spring, said ordinance being dated the twenty-seventh day of February, 1959, and signed by the mayor and the councilmen. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Area owned by Ridge Spring Sportswear Company, Inc. annexed to Town of Ridge Spring.—The ordinance signed by the mayor and the councilmen of the Town of Ridge Spring authorizing the annexation to the town limits of the following described area, now entirely owned by the Ridge Spring Sportswear Company, Inc. is hereby validated and declared to be legal in all respects :

All that certain piece, parcel or tract of land in Ridge Spring School District, Saluda County, S. C., containing 1.39 acres, as shown by plat of M. E. Reames, Reg. Land Surveyor, dated Aug. 23, 1957, bounded North for 180 feet by State Highway No. 23; East for 324.5 feet by lands of Mrs. Ruth C. Buffington; South for 181.3 feet by Southern Railway right of way; West for 346.5 feet by lands of Jadie Rodgers. This being the identical land conveyed to Ridge Spring Sportswear Company, Inc., by Mrs. Ruth C. Buffington on Oct. 14, 1957, deed recorded in Deed Book 47 page 415, office of Clerk of Court for Saluda County, South Carolina, together with 505 feet of Highway No. 23 that runs from the present Town limits of Ridge Spring, S. C., westward and in front of the property above described as belonging to Ridge Spring Sportswear Company, Inc. This 505 feet of Highway No. 23 represents the distance of 325 feet from the present town limits of Ridge Spring, S. C., to the property line of Ridge Spring Sportswear Company, Inc., plus 180 feet frontage on the property on Ridge Spring Sportswear Company, Inc.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R345, H1702)

No. 505

An Act To Authorize The Establishment Of A School Sinking Fund In Saluda County From Certain Surplus Funds On Hand, And To Provide For The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. School Sinking Fund for Saluda County may be established—expenditures.—Such moneys as may be on hand in the treasury from the Improvement Note Fund of Saluda County District one's part, and from the remaining three mill tax levy, levied to meet the installments and interest on a school bond issue, shall be set aside

by the treasurer and placed in the county treasury in a special school sinking fund. Expenditures from the fund may be made for general school purposes upon approval of the legislative delegation from the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of May, 1959.

(R412, H1711)

No. 506

An Act To Provide For The Levy Of Taxes For Ordinary County And School Purposes, For A Period Of Twelve Months, Beginning July 1, 1959, And Ending June 30, 1960, Both Inclusive, For Saluda County, To Provide For The Expenditure Thereof, And To Provide For The Rental Of Certain County Properties.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. A tax of mills as is necessary to raise the amount of money hereinafter appropriated is hereby levied on all taxable property in Saluda County for school and county purposes for the fiscal year July 1, 1959, to June 30, 1960, for the amounts and purposes hereinafter mentioned.

Item 1. Roads and Bridges:

Maintenance of Roads and Bridges, tractor force
and convicts, and purchase of concrete pipe . . . \$ 50,000.00
Any balance that might be in Item 1 at the end
of the fiscal year (June 30, 1959) shall be trans-
ferred to Item 1 for the new fiscal year 1959-
1960, and to be in addition to the amount set
forth in Item 1.

Total Item 1 \$ 50,000.00

Item 2. Salaries, payable monthly :	
Clerk of Court	\$ 1,100.00
Treasurer (County's part)	1,000.00
Auditor (County's part)	1,000.00
Chairman, Board of Commissioners, for full time	3,000.00
Travel Expense	700.00
The Chairman of the Board of Commissioners, in connection with his employment as such, shall be furnished gasoline from the pumps located at the County Home in his pickup truck for official business.	
Two County Commissioners @ \$700.00 each, and expenses	1,400.00
Clerk of Board and Tax Collector	2,400.00
Superintendent of Education, salary	250.00
Travel Expense	600.00
Judge of Probate	2,400.00
<i>Provided</i> , that the Judge of Probate shall receive in addition to the above all fees collected by him for the issuance of marriage licenses.	
Magistrate at Courthouse	1,300.00
Magistrate at Ridge Spring	625.00
Constable at Ridge Spring, to be deputized by Sheriff at Sheriff's discretion	380.00
Two Magistrates at \$220.00 each	440.00
Two Constables to Magistrates at \$80.00 each ..	160.00
Coroner and his Deputy	420.00
Clerical help, \$5.00 for each case	60.00
Travel Expense	400.00
Janitor, full time at Courthouse, Jail, Agricultural Building and grounds at \$125.00 per month	1,500.00
County Attorney	150.00
County Physician	225.00
<i>Provided</i> , that the County Physician shall act as one of the examining physicians in each lunacy case and assist in all post mortems, without extra compensation.	
Clerical help for Clerk of Court's Office	2,400.00
<i>Provided</i> , that such help shall be employed by the Clerk of Court.	

Treasurer's expenses	300.00
Auditor's expenses	300.00
Clerk of Court	200.00
Sheriff	3,000.00
Travel expense	900.00

Provided, that the Sheriff and his family shall occupy the living quarters of the jail and shall have full use of the county property therein, including the payment for lights and water.

Provided, that the Sheriff shall receive in addition to the above all fees collected in his office. Two Deputy Sheriffs (to be appointed by the Governor, upon the recommendation of the Sheriff and a majority of the Delegation) and the expenses for two Deputy Sheriffs, \$2,500.00 each

5,000.00

Travel expense, \$900.00 each

1,800.00

Provided, it shall be the duty of each of the deputies to assist the Tax Collector in collecting delinquent taxes by serving notice of executions or otherwise as directed by the Tax Collector. The two Deputies above mentioned shall be clothed with authority to arrest without warrant any person known or suspected by them, upon satisfactory information, of violation of any of the criminal laws of the State; *provided*, that any person arrested shall be taken immediately to the most convenient magistrate and a warrant procured; *provided*, that the Deputy Sheriffs may perform all duties usually required of rural policemen and shall patrol the county as they may be directed by the Sheriff; *provided*, that if the Deputies fail to do their duty by not enforcing all laws they shall be subject to removal at any time by the Governor, upon the recommendation of a majority of the Legislative Delegation. The Sheriff or Deputy Sheriffs shall transfer all lunatics to the asylum free of all costs, except actual expenses. *Provided*, further, that the Deputy Sheriffs shall work under the direc-

tion of the Sheriff and shall devote their entire time to the duties of the office. The Sheriff or Deputy Sheriffs shall act as Constable for the Magistrate for Saluda Courthouse.

Tax Collector 1,375.00

Provided, that the Tax Collector shall clear his records of all personal property delinquent taxes, including automobiles, etc., one year from date of executions from the Treasurer's office.

Total Item 2\$ 34,785.00

Item 3. Board of Assessors and Equalization, if so much be necessary\$ 1,500.00

Provided, that each member of the board of assessors shall receive compensation in the sum of thirty dollars (\$30.00) annually, and *provided*, further, that the county board of equalization, shall meet upon call of the County Auditor for not exceeding three days in any one year and shall receive per diem of ten dollars per day for not exceeding three days.

Total Item 3\$ 1,500.00

Item 4. Jail Expenses, including dieting of prisoners at one dollar per day each and bedding, less lights \$ 1,500.00

Jurors and Witnesses 1,800.00

Water and fuel—Courthouse and Agricultural Building 1,400.00

Lights for Courthouse Square 112.00

Lights for Jail, Agricultural Building, Courthouse and County Farm 1,200.00

Saluda Chamber of Commerce, Industrial Developments 750.00

Telephones located as follows: one telephone to be located in Sheriff's house, one in Auditor's office, one in Superintendent of Education's office, one in Clerk of Court's office, one in Magistrate's office, one at County Home and one in Sheriff's office; and long distance calls 800.00

For transportation of school commodities 240.00

For Sheriff's travel expense outside of Saluda County	100.00
Courthouse Supplies and Agricultural Building	400.00
Twelve months' rent, light, fuel, for Welfare Department at \$45.00 per month	540.00
Twelve months' rent for Unemployment Board and Social Security Board	180.00
Vital Statistics	125.00
Saluda Standard—Printing County Reports ..	100.00
Miscellaneous Office Expenses, if so much be needed :	
Clerk of Court	1,000.00
Sheriff	50.00
Judge of Probate, office equipment	300.00
Treasurer	250.00
Superintendent of Education	75.00
Auditor	150.00
Commissioner's Office	100.00
Magistrate's office, printing necessary blanks ..	150.00
<i>Provided</i> , that the bills for printing herein authorized shall be paid upon separate bills rendered by each county officer.	
<i>Provided</i> , magistrates' jurors shall receive as compensation one dollar per day.	
Tax Collector, books and stationery	175.00
<i>Provided</i> , above office expenses appropriations shall be excepted from provisions of Section 5.	
Auditing County Officers' Books	400.00
Agricultural Department:	
4-H Boys' Club	50.00
4-H Girls' Club	50.00
F.F.A. Boys' Club, Saluda	50.00
J.H.A. Girls' Club, Saluda	50.00
F.F.A. Boys' Club, Hollywood	50.00
J.H.A. Girls' Club, Hollywood	50.00
F.F.A. Boys' Club, Ridge Spring	50.00
J.H.A. Girls' Club, Ridge Spring	50.00
County Agent	75.00
Home Demonstration Agent	50.00
Supplement to present County Agent's Salary ..	500.00

Supplement to present Home Demonstration Agent's Salary	200.00
County Health Department:	
Medical aid and necessary activities not now covered by State and Federal assistance (payable out of Saluda County Health Center Funds) ..	3,184.80

Total Item 4	\$ 16,306.80
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Item 5. Miscellaneous Contingent:

Provided, that the Saluda County Board of Commissioners may issue vouchers against this fund for the items herein specified and not exceeding the amounts set forth for the year 1954-1955:

All court expenses as may be incurred in excess of the specified appropriations in this act.

Coroner's jurors shall receive three dollars each and ten cents per mile for each case of court. Mileage shall be paid for the distance from home to place of inquest one way only.

Post Mortems, Inquests and Lunacies.

Transportation to State Hospital

Insurance on Officers' bonds.

Saluda County's proportional expense of S. C.

Retirement System and Withholding Tax.

Insurance and Sinking Fund.

Insurance of County Employees.

Any funds paid out of the general miscellaneous contingent fund account, not approved in the County Supply Act, must be approved by the Saluda County Legislative Delegation.

GRAND TOTAL	\$102,591.80
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Less Estimated Revenue, Other than Taxes:

Gas Tax	\$ 45,000.00
Income Tax	11,000.00
Other Revenue	12,660.00

Total	\$ 68,660.00
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TO BE RAISED BY TAXATION	\$ 33,931.80
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SECTION 2. The fee that may be charged by the Clerk of Court for Saluda County for the recording, filing, indexing or registering any mortgage or other instrument conveying an interest in, or creating a lien on, the crops growing or to be grown, or on personal property, made to any corporation under the Act of Congress known as the Farm Credit Corporation of 1933, if and as amended, a Regional Agricultural Credit Corporation, a Federal Intermediate Credit Bank, or any other corporation which rediscounts notes or other obligations with or procures loans from a Federal Intermediate Credit Bank, the Reconstruction Finance Corporation or the Government of the United States or any department, agency, instrumentality or officer thereof, shall be seventy-five cents; and a copy or duplicate of such instrument shall be furnished to the recording officer; *provided*, that Saluda County is specifically excepted from the provisions of Section 27-61, Code of Laws of South Carolina, 1952.

SECTION 3. The county officials of Saluda County are hereby directed to collect the fees allowed them by law as a part of their salaries. The county treasurer shall retain twenty-five cents additional out of every tax execution fee collected.

SECTION 4. In anticipation of the collection of 1959 taxes, the county board of commissioners and treasurer are hereby authorized to borrow an amount sufficient to meet the expenses of the county government for this fiscal year and pledge the taxes for 1959 in payment thereof, and the full faith, credit and taxing power of Saluda County are hereby pledged for the payment of such note or notes as are issued under the authority of this section.

SECTION 5. The above accounts shall be kept separate and distinct and expended only for the purposes for which appropriated; *provided*, no bill or claim shall be approved or paid unless the same shall state fully what it is for, giving the kind and quantity of the thing or commodity which it represents in addition to the amount and time when furnished; any note or contract made by any officer of the county or county board in excess of the levy and appropriation herein shall be null and void insofar as the county is concerned; *provided*, however, that any officer or employee who disregards any of the provisions herein without the written consent of the Saluda County Legislative Delegation in the General Assembly, as kept on file in the office of the county treasurer, shall be guilty of malfeasance in office and subject to removal upon complaint of the Saluda County

Legislative Delegation, in addition to the punishment now provided by law.

SECTION 6. All county officers shall make a complete report to the county treasurer of all fees, fines and monies received and disbursed by them and file copies thereof with the Clerk of Court of Saluda County for the periods ending June 30, 1959, December 31, 1959, and June 30, 1960, and such reports shall be furnished not later than the tenth of the following month. Without further notice, such reports shall be public records and subject to inspection by the people of the county. Failure to make such reports by January, 1960, shall make such officer failing in this requirement subject to removal from office by the Saluda County Legislative Delegation.

SECTION 7. All county officers shall be paid monthly and such payment shall not exceed one-twelfth of amount appropriated. Not more than one-sixth of the amount of Item 1 shall be paid out in any one month, except in case of emergency, and if it be necessary, and by consent of the delegation.

SECTION 8. As soon as the total amount of property for taxation has been ascertained for the year 1959, the auditor and treasurer, jointly, are authorized to increase or decrease the levy hereinbefore made to meet the appropriation herein provided, taking into account all other funds on hand for the purpose, gas tax as estimated, and other indirect revenues.

SECTION 9. The chairman of the board of commissioners has entire care and supervision of all county buildings and grounds, and he shall employ a janitor and shall have supervision over the janitor at all times. The chairman may designate someone to assist him during his absence.

SECTION 10. Any balance in any item, except Item 1, unexpended at the beginning of the fiscal year 1959-1960, shall be placed in the contingent account. All fines, forfeitures and forfeited land sales collected shall be placed in the contingent fund.

SECTION 11. The treasurer is hereby authorized and required to place the money coming from whiskey, wine and beer tax in the fiscal year 1959-1960 in a separate fund to be known as "General School Fund", and this fund may be used at the discretion of the county superintendent of education by and with the consent of the county board of education.

SECTION 12. If, for any cause, the office of chairman of the board of county commissioners, or either of the two commissioners, shall become vacant, the Governor shall, upon the recommendation of the Saluda County Legislative Delegation, appoint his successor.

SECTION 13. All offices of the courthouse may be closed at 1:00 o'clock P. M. every Saturday afternoon and on Thursday afternoon for the months of April, May, June, July and August.

SECTION 14. The expenditure of any funds from the State surplus coming to the county treasurer for school purposes or otherwise must be approved by the county delegation.

SECTION 15. The county farm shall be managed by the chairman of the board of county commissioners in cooperation with other members of that board to the end that the farm may supplement the funds provided for county chain gang.

SECTION 16. The county delegation is directed to charge a reasonable rental for such buildings and property as belong to the county and may be accepted by agencies of the Federal Government. Such monies as are received from this source shall be placed in a special agricultural fund to be used exclusively for improvements on such buildings as are rented pursuant to the terms of this section.

SECTION 17. No tax levy for school purposes shall be effective unless approved by the legislative delegation from the county.

SECTION 18. All magistrates of the county shall be bonded in the sum of one thousand dollars in a bonding company approved by the board of county commissioners, and such premiums as may be required shall be paid from funds of the county.

SECTION 19. The court crier and bailiffs for the county shall receive the same compensation as provided by law for petit jurors of the circuit court.

SECTION 20. All county notes shall remain with the treasurer when paid and shall not be transferred to any other office or officer.

SECTION 21. If any section of this act shall be found to be unconstitutional, it shall not be construed to affect the validity of any other section hereof.

SECTION 22. All acts or parts of acts inconsistent herewith are repealed.

SECTION 23. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R28, H1095)

No. 507

An Act To Confirm The Right Of Cowpens Water District Commission To Issue Six Hundred Thousand Dollars Of General Obligation Bonds Of Cowpens Water District.

Whereas, Cowpens Water District was created by Act No. 936 of the Acts of 1954, which act was afterwards amended by Acts Nos. 574, 583 and 584 of 1955; and

Whereas, pursuant to such acts an election has been held which authorizes the issuance of eight hundred thousand dollars of bonds, and on the basis of such election, the district proposes to offer at public sale six hundred thousand dollars of its general obligation bonds, additionally secured by a pledge of the net revenues to be derived from the operation of any revenue producing facility operated and maintained by the district; and

Whereas, the election relating to the issuance of the bonds occurred on August 2, 1955, more than three years ago, by reason of which it is proper that validating legislation should be enacted to remove any question as to whether the passage of time might have resulted in a change of conditions impairing the right to issue such bonds. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Cowpens Water District Commission may issue bonds.—The Cowpens Water District Commission is hereby fully authorized and empowered to issue not exceeding six hundred thousand dollars of its general obligation bonds pursuant to authorizations recited above, and such issue may be additionally secured by a pledge of such of the net revenues to be derived from the operation of any revenue producing facility operated and maintained by the district as the Cowpens Water District Commission shall approve, and the six hundred thousand dollars of bonds when sold and delivered shall be valid and binding obligations of the Cow-

pens Water District, payable from ad valorem taxes, without limit, upon all taxable property in the water district and, to the extent that the Cowpens Water District Commission shall so provide, by a pledge of certain net revenues derived from the operation of any revenue producing facility operated and maintained by the Cowpens Water District.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 11th day of February, 1959.

(R29, H1103)

No. 508

An Act To Amend Act No. 1196 Of The Acts Of 1958, Relating To A Board Of Fire Control for The Roebuck Area In Spartanburg County, So As To Provide For The Borrowing Of Twenty Thousand Dollars In The Discretion Of The Board.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subsection (h) of Section 3 of Act 1196 of 1958, amended—Roebuck Fire District may borrow money.—Subsection (h) of Section 3 of Act No. 1196 of the Acts of 1958 is amended to read as follows:

“(h) To borrow not exceeding twenty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district, in anticipation of taxes. The indebtedness shall be evidenced by a note or notes issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the Roebuck Fire District is hereby irrevocably pledged for the payment of the indebtedness.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of February, 1959.

(R65, H1168)

No. 509

An Act To Amend Act No. 1193 Of The Acts Of 1958, Entitled "An Act To Authorize Spartanburg County To Issue And Sell Bonds In The Amount Of One Hundred Thousand Dollars, Provided Such Sum Is Matched By The Federal Government Pursuant To The Hill-Burton Act, The Proceeds Of Which Shall Be Used For The Expansion And Construction Of Health Centers In The County; To Provide The Terms Of The Bonds And To Provide A Tax Levy For The Payment Therof.", Approved April 28, 1958, So As To More Particularly Prescribe The Conditions On Which The Bonds May Be Issued.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1193 of 1958, amended—**Spartanburg County may issue bonds—conditions.**—Section 1 of Act No. 1193 of the Acts of 1958, approved April 28, 1958, is hereby amended to read as follows:

"Section 1. The County Board of Spartanburg County is hereby authorized to issue bonds of Spartanburg County to finance the several purposes described in Section 8 of this act whenever said County Board has received assurances satisfactory to it that the Federal Government will contribute to the financing of the cost of such purposes pursuant to the Hill-Burton Act funds substantially equal to the amount of bonds issued pursuant to this act. The aggregate principal amount of the bonds shall not exceed one hundred thousand dollars."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R66, H1169)

No. 510

An Act To Amend Act No. 1194 Of The Acts And Joint Resolutions Of The General Assembly Of 1958, Relating To The Fiscal Affairs Of Spartanburg County And Making Appropriations

Therefor, So As To Authorize The Board Of Trustees Of The Spartanburg General Hospital To Pay The Radiologist An Annual Salary In Lieu Of The Present Provisions.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Item 5 of Act 1194 of 1958, amended—Spartanburg General Hospital—salary of radiologist.—Act No. 1194 of 1958 is amended by adding to the last paragraph of Item 5, relating to the Spartanburg General Hospital, the following proviso: "*Provided*, that the Board of Trustees of the Spartanburg General Hospital may pay to the radiologist an annual salary of twenty-five thousand dollars in lieu of the above provisions of an annual salary of ten thousand dollars plus forty per cent of the net profit accruing to the department."; so that when so amended the last paragraph of Item 5 shall read as follows:

"The Radiologist in charge of the department shall receive an annual salary of ten thousand dollars for directing the work of the department and for interpreting the X-ray pictures of the charity patients. He shall receive as additional compensation forty per cent of the net profit accruing to the department so long as his earnings in the aggregate do not exceed the sum of twenty-five thousand dollars. *Provided*, that the Board of Trustees of the Spartanburg General Hospital may pay to the radiologist an annual salary of twenty-five thousand dollars in lieu of the above provisions of an annual salary of ten thousand dollars plus forty per cent of the net profit accruing to the department."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

An Act To Amend Act No. 1195 Of The Acts Of 1958, Relating To A Board Of Fire Control For The West View-Fairforest Fire District In Spartanburg County, So As To Provide For The Bor-

rowing Of Thirty Thousand Dollars In The Discretion Of The Board.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (h), Section 3 of Act 1195 of 1958, amended—West View-Fairforest Fire District may borrow money.—Subsection (h) of Section 3 of Act No. 1195 of the Acts of 1958 is amended to read as follows:

“(h) To borrow not exceeding thirty thousand dollars on such terms and for such a period as to the fire control board may seem most beneficial for the fire district, in anticipation of taxes. The indebtedness shall be evidenced by a note or notes issued by the members of the board and the county treasurer. The full faith, credit and taxing power of the West View-Fairforest Fire District is hereby irrevocably pledged for the payment of the indebtedness.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 10th day of March, 1959.

(R108, H1161)

No. 512

An Act To Amend Section 1 Of Act No. 1180 Of 1958 Relating To A Bond Issue For The Construction Of A Spartanburg County Library, So As To Increase The Amount Of Such Bond Issue From Three Hundred Nineteen Thousand Dollars To Five Hundred Sixty Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1180 of 1958, amended—Spartanburg County may issue bonds for library.—Section 1 of Act No. 1180 of 1958 is amended to read as follows:

“Section 1. The County Board of Spartanburg County is hereby authorized to issue bonds of Spartanburg County to finance the construction and equipping of the Spartanburg County Library. The aggregate principal amount of the bonds shall not exceed five hundred sixty thousand dollars.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 12th day of March, 1959.

(R202, H1432)

No. 513

An Act To Confirm The Right Of Una Water District Commission Of Spartanburg County To Issue Five Hundred Thousand Dollars Of General Obligation Bonds Of Una Water District And To Further Prescribe The Use Of The Proceeds Thereof.

Whereas, Una Water District was created by Act No. 582 of the Acts of 1955; and

Whereas, pursuant to such act an election has been held which authorizes the issuance of five hundred thousand dollars of bonds, and on the basis of such election, the District proposes to offer at public sale five hundred thousand dollars of its general obligation bonds, additionally secured by a pledge of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the District; and

Whereas, the election relating to the issuance of the bonds occurred on September 20, 1955, more than three years ago, and approved the issuance of not exceeding five hundred thousand dollars of general obligation bonds, the proceeds of which shall be used to construct and establish a water distribution system and a sewer system in the District, by reason of which it is proper that validating legislation should be enacted to remove any question as to whether the passage of time might have resulted in a change of conditions impairing the right to issue such bonds, and to authorize the Una Water Commission to first proceed with the construction and establishment of a water distribution system and of a sewer system after the water distribution system has been constructed. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Una Water District Commission may issue bonds.
—The Una Water District Commission is hereby fully autho-

rized and empowered to issue not exceeding five hundred thousand dollars of its general obligation bonds pursuant to the approval in the election of September 20, 1955, of the authority to issue such bonds, as provided in Act No. 582 of the Acts of 1955. The proceeds of the issue shall be first used by the Una Water District Commission to construct and establish a water distribution system and thereafter, to the extent of available funds, in the construction of sewage disposal facilities. Such issue may be additionally secured by a pledge of such of the net revenues to be derived from the operation of any revenue-producing facility operated and maintained by the District as the Una Water District Commission shall approve, and the five hundred thousand dollars of bonds when sold and delivered shall be valid and binding obligations of the Una Water District, payable from ad valorem taxes, without limit, upon all taxable property in the water district and, to the extent that the Una Water District Commission shall so provide, by a pledge of certain net revenues derived from the operation of any revenue-producing facility operated and maintained by the Una Water District.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 9th day of April, 1959.

(R224, H1452)

No. 514

An Act To Set Aside For The Use, Benefit And Enjoyment Of The Spartanburg County Tuberculosis Hospital A Certain Portion Of The Spartanburg County Farm Property; To Remove Such Tract Of Land From The Property Being Studied Pursuant To Joint Resolution No. 672 Of The Acts Of 1957; And To Direct The Spartanburg County Planning And Development Commission To Convey A Part Thereof To The County Board Of Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Land designated for use of Spartanburg County Tuberculosis Hospital.—The following described tracts of land are

hereby set aside for the use, benefit and enjoyment of the Spartanburg County Tuberculosis Hospital:

(A) All of tract No. 6, containing 15.02 acres, more or less, as shown on plat of Gooch & Taylor, Surveyors, made for Spartanburg County on March 27, 1958.

(B) A strip of land across the road from the above-described land, measuring 1141.7 feet along said road, and running back a depth of 300 feet along S. C. Route 65, the southwestern boundary thereof, and having an equal depth of 300 feet along the line of Spartanburg Advertising Company, the northeast boundary thereof, and having a rear boundary measuring approximately 1150 feet; this being a portion of tract No. 3 as shown on the aforesaid plat.

(C) A strip of land joining the above-described tract No. 6 on the northeast, measuring 125 feet along the road running in front of the T. B. Hospital, and having a uniform depth of 572.1 feet on the northeast and southwest boundaries, and a rear boundary of 125 feet; the same being a portion of tract No. 7 as shown on the aforesaid plat of Gooch & Taylor.

SECTION 2. Conveyance of property.—In order that title to all of the aforescribed tracts may be vested in one political subdivision, the Spartanburg County Planning and Development Commission, sometimes known as the Spartanburg County Development Board, is hereby directed to convey the tract described in paragraph (C) of Section 1, unto the County Board of Spartanburg County.

SECTION 3. Land excluded from study.—The tracts of land described in Section 1 are hereby excluded from the property being studied by the Spartanburg Planning and Development Commission pursuant to Joint Resolution No. 672 of the Acts of 1957.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 15th day of April, 1959.

(R238, H1490)

No. 515

An Act To Amend Act No. 1180 Of The Acts Of 1958, As Amended, Relating To The Issuance And Use Of Bonds For The Construction Of A Spartanburg County Library, So As To Further Provide For Such Issuance And Use.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 1180 of 1958, amended—Spartanburg County may issue bonds for library.—Section 1 of Act No. 1180 of the Acts of 1958, as amended, is further amended to read as follows:

“Section 1. The County Board of Spartanburg County is hereby authorized to issue bonds of Spartanburg County to finance the construction and equipping of a new building suitable for the use of the County Library System of Spartanburg County. The aggregate principal amount of the bonds shall not exceed five hundred sixty thousand dollars.”

SECTION 2. Section 7 of Act 1180 of 1958, amended—proceeds.—Section 7 of Act No. 1180 of the Acts of 1958 is amended to read as follows:

“Section 7. The proceeds of the sale of the bonds shall be paid to the county treasurer and deposited in a special account, to be disbursed for the purposes stated in Section 8 by the county treasurer on warrants drawn thereon by the County Board of Spartanburg County upon properly itemized and sworn statements of the board.”

SECTION 3. Section 8 of Act 1180 of 1958, amended—construction and equipping of hospital.—Section 8 of Act No. 1180 of the Acts of 1958 is amended to read as follows:

“Section 8. The proceeds of the bonds authorized by this act shall be used to finance the construction and equipping of a new building suitable for the use of the County Library System of Spartanburg County. The construction and equipping of such building shall be under the direction of the Spartanburg County Library Board, but the plans and specifications for the building must bear the written approval of the Spartanburg County Board prior to the issuance of the bonds provided for herein.”

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R245, S196)

No. 516

An Act To Empower Certain Special Purpose Districts In Spartanburg County To Accept Donations Of Water Mains Within Or Without Such Districts, And To Prescribe The Conditions Under Which Such Districts May Sell Water Therefrom.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Certain special purpose districts in Spartanburg County may accept water mains.—Certain special purpose districts heretofore, or hereafter, created in Spartanburg County, to which are committed the function of operating and maintaining water distribution systems, shall be empowered to accept water mains to be connected with the existing water distribution systems of such district whether such water mains may lie in whole or in part beyond the territorial limits of such districts, under the conditions prescribed by this act. Prior to accepting such water mains it shall be ascertained that the same are constructed in accordance with standards employed to constructing the existing water mains of the district, that the addition of such water mains to the water distribution facilities of the district will not lessen or impair the quality and extent of services to be rendered by the district to those then using the existing facilities of the district, and that sales of water therefrom can be effected at rates not less than those prescribed for others similarly situated within the district.

SECTION 2. Provisions for operation of water mains extending beyond district limits.—If hereafter, pursuant to this act, any special purpose district in Spartanburg County shall acquire water mains which extend beyond the territorial limits of such district, the governing commission of such district shall be empowered to sell water therefrom upon such rates and upon such terms and conditions as it shall from time to time prescribe; *provided*, that such rates shall not be less than those charged for similar services within the district.

SECTION 3. Use of revenue derived pursuant to act.—All net revenues derived from sales of water made pursuant to the authorizations of this act shall constitute net revenues of the water system of the district and shall be used and disposed of in the same manner as other net revenues from such system.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R394, H1591)

No. 517

An Act To Make Supplemental Appropriations For Spartanburg County For The Fiscal Year 1958-1959 From The General Fund Of The County; To Validate A Loan Made To Cowpens Water District And To Reimburse The General Fund From Proceeds Derived From The Sale Of Bonds Of The Water District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. There is hereby appropriated from the General Fund of Spartanburg County, as a supplemental appropriation for the fiscal year 1958-1959, the following:

Office Supplies	\$ 11,000.00
Operation Upkeep—Police Cars	3,000.00
Telephone Service	2,000.00
Jurors, Witnesses and Bailiffs (Court of Common Pleas and General Sessions)	11,000.00
Transcripts and Inquests (Coroner)	1,000.00
Printing Bar Roster	500.00
Jurors for Civil Courts	200.00
Conveying Prisoners	1,000.00
Dieting Prisoners	11,000.00
Coroner's Juries	500.00
Post Mortem	300.00
Additional Clerical Help—R.M.C. Office	2,652.90
Additional Clerical Help—Auditor's Office	1,050.00

Additional Clerical Help—Probate Judge's Office . .	872.70
Additional Fire-Radio-Alarm System	9,000.00
(Contingent upon the City of Spartanburg paying an equal amount)	
Spartanburg Planning and Delevopment Board	5,000.00
Joint Airport	10,000.00
(Contingent upon Greenville County paying an equal amount)	
Volunteer Fire Department—Wellford	500.00
Additional—Registration Board	750.00
Medical Expenses—Mrs. Ruth Brown	2,380.69
Salary Schedule Adjustment	607.81
Books—Indexes, etc.—R.M.C. Office	2,340.00
Additional Appropriation—Spartanburg General Hospital	50,000.00
Purchase of two police cars, or so much thereof as may be necessary	2,800.00
To one-half cost of block map project—Town of Woodruff	1,450.00
Suppression Unit for Forestry Department	7,010.00
Spartanburg Planning and Development Board	18,000.00
<i>Provided</i> , however, this sum shall be expended from funds received from the sale of cattle now held in County Farm Account.	
Spartanburg Supervisor for rebuilding of dining hall and kitchen	4,359.87
Total	\$160,273.97

SECTION 2. A loan made to the Cowpens Water District in the sum of one thousand dollars is hereby validated. Such funds shall be reimbursed to the General Fund of Spartanburg County out of the proceeds of any bonds sold for the construction of the Cowpens Water District.

SECTION 3. All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R407, H1687)

No. 518

An Act To Amend Act No. 1189 Of The Acts Of 1958, Relating To The Board Of Fire Control For The Boiling Springs Area In Spartanburg County, So As To Provide For The Borrowing Of Fifteen Thousand Dollars.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Subsection (h) of Section 3 of Act 1189 of 1958, amended—Boiling Springs Fire Control Board may borrow money.—Subsection (h) of Section 3 of Act No. 1189 of the Acts of 1958 is amended to read as follows:

“(h) To borrow not exceeding fifteen thousand dollars for such a period of time as may be determined by the board in anticipation of taxes. The indebtedness shall be evidenced by a note or notes issued by the members of the board and the county treasurer. The full faith and credit of the Boiling Springs Fire District is hereby irrevocably pledged for the payment of the indebtedness.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R430, H1740)

No. 519

An Act To Provide Compensation For Commissioners Of Certain Water Districts In Spartanburg County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Compensation for commissioners of certain Spartanburg County water districts.—Any water district in Spartanburg County which has not provided compensation for its commissioners may pay them ten dollars per day for each meeting attended on behalf of the district's business, but no commissioner shall receive more than three hundred dollars during any one year.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R493, H1769)

No. 520

An Act To Authorize The County Board Of Spartanburg County To Sell Or Dispose Of That Property Of The County Known As The County Farm.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County may sell county farm property.—The County Board of Spartanburg County is hereby authorized to sell or dispose of that county property known as the County Farm or portions thereof upon authorization of a majority of the Legislative Delegation and to execute deeds and conveyances therefor.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R527, H1704)

No. 521

An Act To Amend Act No. 939 Of The Acts And Joint Resolutions Of The General Assembly Of 1954, As Amended By Act No. 579 Of 1955, Relating To The Inman-Campobello Water District, So As To Further Define The Area Of The Inman-Campobello Water District And That Of Spartanburg Metropolitan Sub-District B.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Section 1 of Act 939 of 1954, further amended—Inman-Campobello Water District created in Spartanburg County—area.—Section 1 of Act No. 939 of 1954, as amended by Act

No. 579 of 1955, is further amended by more particularly defining the boundary of Spartanburg Metropolitan Subdistrict B and the boundary of the Inman-Campobello Water District, so that when so amended Section 1 of Act No. 939, as amended, shall read as follows: "Section 1. There is hereby created and established in Spartanburg County a district to be known as 'Inman-Campobello Water District', which district shall be a public corporation of perpetual succession, and shall have the functions prescribed by this act. The district shall include and be comprised of the following territory:

A corridor, two miles in width, extending along U. S. No. 176 in Spartanburg County, and one mile on each side of the center line of said highway; the southern terminus of the corridor being the northern boundary of Spartanburg Metropolitan Subdistrict B more particularly described and delineated as beginning at a point on the North side of Highway No. 176 same being the property corner of the lot belonging to J. C. Gregory and Roy A. Hitt, and running the property lines (Gregory and Hitt) N. 32-21 E. to the property corner at Prince Street, thence across Prince Street continuing the property lines N. 14-44 E. to property corner, thence a straight line continuing N. 0-05 W. to the center of the New Pine Street Extension (These property lines may be seen by referring to the John B. Cleveland, Est., Property Map, same recorded in Plat Book 14, Page 60, R.M.C. Office, Spartanburg County) and thence following the center line of the new Pine Street Extension to the point of intersection with the old line, the same being the center line of the Fairforest-Valley Falls Road, and the northern terminus being the segment of a circle drawn around, and one mile outside, the town limits of Campobello, including also the additional territory to the north of U. S. Highway No. 176 bounded by a line drawn one mile from the city limits of Inman, excluding, however, all property now owned by Inman Mills;

Also, an intersecting corridor, two miles in width, extending along Spartanburg County Highway 56 (Road S-42-56) and one mile on each side of the center line of the said highway; the eastern terminus of the corridor being a line drawn perpendicular to the said highway and crossing it 1500 feet in a westerly direction from its intersection with S. C. Highway No. 9, and the western terminus being the eastern boundary of the corridor first above described;

The territory comprising the district being more particularly and accurately shown on a plat of the Inman-Campobello Water District, made March 15, 1955, by Lockwood-Greene Engineers, Spartanburg, S. C., copies of which are to be filed with the County Auditor and the County Treasurer and with the Register of Mesne Conveyances to be recorded."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R538, H1814)

No. 522

A Joint Resolution To Provide For A Referendum In Spartanburg County To Determine The Wishes Of The Qualified Electors On The Questions Of Repealing Certain Prohibitions Against Certain Activities On Sunday And To Determine Whether Such Electors Wish Legislation To Be Enacted Permitting Certain Activities On Sunday During Certain Hours.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County—election to be held concerning certain activities on Sunday.—In order to ascertain the wishes of the qualified electors of Spartanburg County upon the questions of whether public sports or pastimes, such as bear-baiting, bull-baiting, football playing, horse-racing, interludes or common plays, or other games, exercises, sports or pastimes, such as hunting, shooting, chasing game or fishing, shall be prohibited on Sunday, and whether tradesmen, artificers, workmen, laborers, or other persons whatsoever, shall be prohibited from doing or exercising any wordly labor, business or work of his ordinary calling upon Sunday or any part thereof, a special election shall be held as provided in the general election laws of this State on Tuesday, July 14, 1959.

SECTION 2. Ballots and question.—Ballots shall be provided at the various voting precincts within the county with the following questions printed or written thereon :

"Shall the law prohibiting public sports or pastimes, such as bear-baiting, bull-baiting, football playing, horse-racing, interludes or common plays, or other games, exercises, sports or pastimes, such as hunting, shooting, chasing game or fishing on Sunday be repealed?

In favor of Repeal ☐

Opposed to Repeal ☐

Shall the law prohibiting tradesmen, artificers, workmen, laborers, or other persons whatsoever from doing or exercising any worldly labor, business, or work of his ordinary calling upon Sunday or any part thereof be repealed?

In favor of Repeal ☐

Opposed to Repeal ☐

Shall a law be passed permitting movies, swimming, golf, fishing and such other recreational activities between the hours of 2 P. M. and 6 P. M. and 9 P. M. and 12 P. M. on Sundays?

In favor of such amusements ☐

Opposed to such amusements ☐

Those in favor of repealing the law with respect to the actions provided in questions 1 and 2, or either of them, shall deposit a ballot with a check or cross mark in the square after the words 'In favor of Repeal', and those voting against repealing the law in said questions, or either of them, shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to Repeal'; those in favor of the amusements listed in question 3 shall deposit a ballot with a check or cross mark in the square after the words 'In favor of such amusements', and those voting against the third question shall deposit a ballot with a check or cross mark in the square after the words 'Opposed to such amusements'."

SECTION 3. Results.—The managers of the election shall report the result of the election, together with the ballots cast at the respective voting places, to the board of election commissioners within forty-eight hours after the closing of the polls. The county board of commissioners shall canvass the ballots, declare the results, and report the results of the election to the legislative delegation of the county.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R545, H1590)

No. 523**An Act Relating To The Fiscal Affairs Of Spartanburg County, Making Appropriations Therefor, And Levying Taxes For The Fiscal Year Ending June 30, 1960.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. A tax levy of thirty-two mills is hereby levied on all taxable property in Spartanburg County for county and school purposes for the fiscal year beginning July 1, 1959, and ending June 30, 1960, for the amounts and purposes hereinafter mentioned and set forth herein :

ITEM 1. ADMINISTRATIVE DEPARTMENT**(A) 1. Auditor's Office**

Salary, Auditor	\$ 3,175.00
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The annual salary of the County Auditor shall be paid from State and County funds and shall not exceed \$6,475.00 and the appropriation for County Auditor shall be adjusted accordingly.

Travel and Official Expenses, Auditor	650.00
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Two (2) Assistant Auditors (A) at \$4,150.00	8,300.00
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Senior Clerk (C)	3,294.00
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Senior Clerk (C)	2,942.52
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Recording Clerk (F)	2,180.50
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Map Book Clerk (one-half salary) (D)	1,625.00
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The clerk who maintains the property map installed in the office of County Auditor shall also verify all automobile registrations. The payment of such clerk is contingent upon the City of Spartanburg paying an equal amount.

2. Board of Assessors and Equalization:

Outside City	2,000.00
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Travel	650.00
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The Board of Assessors and Equalization for outside the City shall be paid \$10.00 each per day and seven cents per mile one trip.

Provided, that of the \$2,000.00 above appropriated the County Auditor may expend the sum of \$600.00 for clerical help for the Board of Assessors.

Spartanburg City	2,340.00
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The salaries for the Board of Assessors and Equalization for Spartanburg City shall be prorated on the basis of three-fifths to be paid by Spartanburg County and two-fifths by the City of Spartanburg.

Extra Clerical Help 3,450.00

Extra Clerical Help to be expended in accordance with county personnel and salary policies.

Total, Sections (A) 1, and (A) 2\$ 30,607.02

(B) TREASURER'S OFFICE

Salary, Treasurer\$ 3,175.00

The annual salary of the County Treasurer to be paid from State and County funds shall not exceed \$6,475.00 and the appropriation for County Treasurer shall be adjusted accordingly. Profit from the sale of Revenue Stamps shall accrue to the County Treasurer.

Assistant Treasurer (A) 4,150.00

Receiving-Paying Teller (B+) 4,150.00

Receiving-Paying Teller (B+) 4,150.00

Receiving-Paying Teller (B) 3,800.00

Senior Clerk (C) 3,052.14

Bank Charges 300.00

Total, Section (B)\$ 22,777.14

(C) CLERK OF COURT'S OFFICE

Salary, Clerk of Court 6,475.00

Deputy (A) 4,150.00

Senior Clerk (C) 3,177.04

Clerk-Stenographer (D) 2,576.95

Recording-Interviewer-Jr. (E) 2,378.72

Total, Section (C)\$ 18,757.71

(D) OFFICE OF REGISTER MESNE

CONVEYANCE

Salary, Register Mesne Conveyance\$ 6,475.00

Deputy Clerk (A) 4,150.00

Recording-Interviewer-Sr. (D) 2,897.80

Recording-Interviewer-Sr. (D) 2,683.90

Recording-Interviewer-Jr. (E)	2,576.16
Recording-Interviewer-Jr. (E)	2,576.16
Recording-Interviewer-Jr. (E)	2,466.67
Operator-Microfilm Equipment (D)	2,576.95
Clerk-Typist (F)	2,090.00
Clerk-Typist (F)	2,090.00

Total, Section (D)\$ 30,582.64

All fees collected by the Register of Mesne
Conveyance for making copies of all certifica-
tions shall accrue to that office.

(E) OFFICE OF COUNTY BOARD

County Board Members	\$ 900.00
Clerk and Secretary, County Board	5,600.00
Travel, Clerk and Secretary	900.00
Assistant Clerk (A)	4,150.00
Senior Clerk (C)	3,177.04
Clerk-Stenographer (D)	2,576.95
County Board Contingent	9,000.00
County Attorney	2,000.00
The amount herein appropriated for County Attorney shall be in full payment for all serv- ices rendered for the County.	
County Physician	1,665.41
The appropriation for the County Physician for medical work at the County Jail and Farm includes V. D. treatment of county prisoners at County Jail.	
Examination of Lunatics	1,800.00
<i>Provided</i> , no physician shall be paid in excess of five dollars for any one examination.	
Insurance—County-Owned Cars	200.00
Operation and upkeep—County-Owned Cars	5,700.00
Workmen's Compensation Insurance	11,250.00
Stationery and Supplies for all County Offices	40,000.00
Bonds of Officers and County Officials	1,650.00
Office Equipment	3,000.00
Typewriter for Circuit Judge	500.00
Business Machines	9,000.00

Business machines, RMC office, and incidentals	4,500.00
Telephone Service	10,000.00
PBX Operator	2,942.52
Clerk Typist	2,180.50
Total, Section (E)	\$122,692.42
(F) TAX COLLECTOR'S OFFICE	
Salary, Senior Clerk (C)	\$ 3,177.04
Bookkeeper (D)	2,730.00
The Tax Collector of Spartanburg County shall collect no mileage on tax executions, but the same shall be remitted by the taxpayer.	
Total, Section (F)	\$ 5,907.04
(G) SUPERINTENDENT OF EDUCATION	
Salary, Superintendent of Education	\$ 2,350.00
The total amount of salary for the Superintendent of Education from any State or County source shall not exceed \$6,475.00, and the above appropriation shall be adjusted accordingly.	
Travel, Superintendent of Education	600.00
The Travel Allowance for the Superintendent of Education is for travel within the county. Expenses for travel outside the county shall be approved by the County Board of Education.	
County Board of Education—Travel	600.00
Assistant Superintendent of Finance and Purchasing	4,550.00
Travel, Assistant Superintendent of Finance and Purchasing	500.00
Chief Clerk (B)	3,800.00
Secretary (C)	3,250.00
Clerk-Stenographer (D)	2,897.80
Clerk-Typist (part-time) (D)	1,350.00
Visiting Teacher—Chief	525.00
Travel—Visiting Teacher—Chief	575.00
Visiting Teacher	3,226.00

Travel—Visiting Teacher	475.00
Adult Education	5,000.00

Total, Section (G)\$ 29,698.80

(H) OFFICE OF SPECIAL AUDITOR

Salary, Special Auditor	\$ 5,600.00
Chief Clerk (B)	3,800.00
Senior Clerk—Vital Statistics (C)	3,177.04
Clerk-Stenographer (D)	2,576.95
Verification, Highway Fines	200.00
Vital Statistics	1,400.00

Total, Section (H)\$ 16,753.99

TOTAL, ITEM 1\$277,776.67

ITEM 2. JUDICIAL DEPARTMENT

(A) COURT OF COMMON PLEAS AND
GENERAL SESSIONS, SEVENTH JU-
DICIAL CIRCUIT

Jurors, Witnesses, and Bailiffs	\$ 41,415.49
Stenographer for Circuit Solicitor	600.00
Circuit Court Stenographer	266.66
Assistant Solicitor	507.50
Court Bailiff—Circuit and County Courts ..	1,800.00
Transcripts and Inquests	861.93
Printing Bar Roster	469.81

Total, Section (A)\$ 45,921.39

(B) COUNTY COURT

Jurors, Witnesses, and Bailiffs	\$ 17,127.40
Salary, Judge	9,450.00
Salary, Solicitor	4,500.00
Stenographer for Solicitor	600.00
Court Stenographer	3,683.33

The County Court Stenographer is authorized to charge the same rate for transcripts as the Circuit Court Stenographer charges and such revenue shall accrue to the County Court Stenographer.

Total, Section (B)\$ 35,360.73

(C) JUVENILE COURT

Salary, Judge (Part-Time)	\$ 3,575.00
Probation Officer	4,790.00
Travel, Probation Officer	1,200.00
Assistant Probation Officer	3,975.00
Travel, Assistant Probation Officer	1,200.00
Assistant Probation Officer	3,950.00
Travel, Assistant Probation Officer	1,200.00
Clerk-Stenographer (C)	3,294.00
Court Expenses, conveying probationers, detention care, etc.	3,400.00

Provided, that the amount herein provided for regular travel within the County of probation officers shall be paid on the basis of 7¢ per mile for travel on official business, upon duly itemized sworn statements approved by the Judge of the Children's Court, filed with the County Board of Spartanburg County. Travel allowance for which payment is made for any one month shall not exceed 1600 miles, and in no event shall the annual amount paid under this appropriation exceed the sums herein provided for such annual appropriation.

Total, Section (C)\$ 26,584.00

(D) CIVIL COURTS OF SPARTANBURG

Salary, Judge of Civil Court	\$ 4,725.00
Salary, Judge of Civil Court	4,725.00
Two (2) Spartanburg City-Special Constables at \$1,083.33 each	2,166.66
Salary, Clerk-Stenographer (D)	3,005.00
Clerk-Stenographer (D)	2,576.95
Clerk-Stenographer (D)	2,897.80
Clerk-Stenographer (D)	2,790.85
Clerk-Stenographer (D)	2,683.90
Jurors for Civil Courts	300.00

Total, Section (D)\$ 25,871.16

(E) JUDGE OF PROBATE'S OFFICE

Salary, Judge of Probate	\$ 6,475.00
Assistant to Judge of Probate (A)	4,150.00

Senior Clerk (C)	3,059.78
Recording-Interviewer-Sr. (D)	2,897.80
Recording Clerk (F)	2,180.50
Recording Clerk (F)	2,180.50
Recording Clerk (F)	2,090.00

When the Probate Judge directs a lunacy case or cases to be carried to the State Hospital or similar institution in the State, it shall be the duty of the Sheriff to convey such prisoners in a County-owned car.

Total, Section (E)	\$ 23,033.58
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(F) MASTER'S OFFICE

Salary, Master	\$ 6,475.00
Assistant to Master (A)	4,150.00
Clerk-Stenographer (D)	2,576.95

Total, Section (F)	\$ 13,201.95
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TOTAL, ITEM 2	\$169,972.81
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ITEM 3. LAW ENFORCEMENT DEPARTMENT

(A) SHERIFF'S OFFICE

Salary, Sheriff	\$ 6,475.00
Travel and Official Expenses, Sheriff	1,800.00
Salary, Deputy Sheriff	4,620.00
Travel and Official Expenses, Deputy Sheriff	1,800.00
Clerk-Stenographer (D)	3,005.00
Identification Work, etc.	1,500.00

For special work, identification and sundry expenses payable on demand of Sheriff.

Rural Police:

1 Chief	4,620.00
Travel, Chief	1,800.00
1 Lieutenant	4,305.88
1 Lieutenant	4,101.15
5 Rural Police at \$4,005.60	20,028.00
15 Rural Police at \$3,573.45	53,601.75
16 Travels at \$2,100.00	33,600.00

Detectives:

1 Captain	4,556.25
3 Detectives at \$4,220.00	12,660.00

1 Record Clerk	4,120.00
Bookkeeper and Cashier	4,005.60
Radio Operators:	
2 at \$4,005.60	8,011.20
Clothing allowance for Rural Policemen and plain clothes men	7,250.00
No rural policeman who wears a uniform shall receive in excess of two hundred thirty-five dollars each.	

Those serving as detectives, jailors, radio dispatchers, deputy sheriff and other plain clothes officers shall not receive in excess of one hundred sixty dollars each for clothes allowance. Such uniforms and clothes shall be paid for by the County Board upon receipt of an order approved by the Sheriff. All such uniforms, clothes, equipment, and supplies furnished by the Sheriff's office to the Rural Policemen, Jailors and Deputy Sheriff shall be returned to the Sheriff's office immediately after such officer shall cease to be employed by the County, upon demand by the Sheriff.

Conveying Prisoners	1,400.00
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This appropriation shall be disbursed at the rate of seven cents a mile upon itemized sworn statements filed with the County Board and approved by the Sheriff. All appropriations for travel for the office of Sheriff, including all rural policemen and detectives, shall be paid on the basis of seven cents a mile for travel on official business upon duly itemized sworn statements filed with the County Board of Spartanburg County each month. Travel allowance for which payment is to be made for any one month shall not exceed more than 2,500 miles, except for the Sheriff, Deputy Sheriff or Chief Rural Policeman. The County Board is authorized to pay any policeman who uses his own car that portion of the insurance premium which is charged to said officer by reason of the extra hazardous employment

clause, such amount to be paid out of the general fund of Spartanburg County upon duly approved claims.

Dieting or prisoners not confined at the County Jail not to exceed fifty cents per meal subject to approval of payment by Sheriff	100.00
Repairs—County Police Radios	1,500.00
Engineer and Maintenance for City-County Police Radio	6,115.50

Provided, the City of Spartanburg pays an equal amount for the City-County Police Radio. *Provided*, further, the above appropriation shall be expended according to the budget submitted by the City of Spartanburg not to exceed a total amount of \$12,231.00 for county and city. *Provided*, the operation of the City-County Radio and the Radio Engineer of the City-County Radio system shall be under and subject to the administrative control of the Sheriff of Spartanburg County insofar as County affairs are concerned. *Provided*, further, the County Board of Spartanburg County is hereby directed to pay no claims from this appropriation until same is itemized and approved by the Sheriff.

Police—Radio Equipment	13,000.00
To replace obsolete equipment on or before August 1, 1960.	

Constables:

Constables at Mills, 3 at \$700.00	2,100.00
<i>Provided</i> , such Constables are deputized by the Sheriff of Spartanburg County.	

Additional Law Enforcement Officers, 2 at \$700.00	1,400.00
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Provided, that they shall be appointed by a majority of the Delegation.

3 Constables at Jackson Mill, Startex, and Arcadia, \$862.50 each	\$ 2,587.50
J. J. Brady, Rural Policeman	3,415.92

Total, Section (A)	\$213,478.75
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(B) COUNTY JAIL

Jailors:

One (1) Lieutenant	\$ 4,305.88
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Provided, the salary of the Lieutenant is retroactive to January 1, 1959 to the extent of \$150.14 to be paid out of any unexpended appropriations for the Office of Sheriff on June 30, 1959.

Two (2) Jailors at \$4,005.60	8,011.20
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Dieting Prisoners	20,000.00
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The Sheriff shall file with the County Board on the first day of each calendar month duly itemized and sworn to a statement giving the name of each prisoner each day, whereupon the County Board shall pay the Sheriff the sum of ninety cents per prisoner per day. The Sheriff shall be responsible and pay for the following named expenditures only: Dieting of Prisoners, disinfectants, mops, brooms, soaps, bath and toilet supplies, light bulbs, blankets and bedding to be used in the County Jail.

All payments for any Federal prisoners shall be paid directly to the County Treasurer and credited to the general funds of Spartanburg County. Dieting and maintenance cost of Federal Prisoners shall be paid from the appropriation for dieting prisoners, but not in excess of ninety cents a day per prisoner.

Medicine, County Jail	600.00
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Total, Section (B)	\$ 32,917.08
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(C) CORONER'S OFFICE

Salary, Coroner	\$ 2,875.00
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Travel and Official Expenses	900.00
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Coroner's Jury	1,028.00
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Burial of Paupers	500.00
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No pauper's coffin shall exceed twenty dollars.

Post Mortems	800.00
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No physician shall be paid in excess of fifteen dollars for an autopsy or five dollars for a post mortem and no autopsy shall be performed without the written approval of the Coroner of Spartanburg County and the Solicitor of the Seventh Judicial Circuit.

Total, Section (C)	\$ 6,103.00
(D) MAGISTRATES AND CONSTABLES	
Thirteen (13) Magistrates at \$1,200.00 each	\$ 15,600.00
Expenses, \$300.00 each	3,900.00
Thirteen Constables for the County Magistrates at \$600.00 each per year	7,800.00
Each magistrate in Spartanburg County shall have authority to appoint one constable for each magisterial district, and each judge of the Civil Courts of Spartanburg shall have authority to appoint one constable, all such constables to serve at such salaries as may be set in the annual appropriation act for Spartanburg County. In addition to the salaries appropriated in the annual appropriation act for Spartanburg County, the constable for each magistrate in Spartanburg County and the constable or constables for the Civil Courts of Spartanburg shall receive such fees and costs and mileage as are set forth in Section 43-1017 and 43-1018, Code of Laws of South Carolina, 1952, as amended by Act No. 276 of the Acts of 1953.	
Total, Section (D)	\$ 27,300.00
(E) PAROLE-PROBATION	
Senior Clerk (C)	\$ 3,294.00
Total, Section (E)	\$ 3,294.00
TOTAL, ITEM 3	\$283,092.83

ITEM 4. ROADS AND BRIDGES

Salary, Supervisor (\$6,475.00 paid out of Maintenance)

Clerk (\$4,150.00 paid out of Maintenance)

County Highway Maintenance 378,000.00

The remainder of the County's share of the gasoline tax received from the State, after using so much thereof as shall be necessary to pay interest and principal installments coming due from the fiscal year 1959-60 on bonds issued or to be issued providing for road surface treatments for the County, shall go into the general funds of Spartanburg County. The road tax shall also go into the general funds of the County. The above appropriation is inclusive of the gas tax and the road tax. The County Board shall have the right and authority and it shall be its duty to allocate, segregate and set apart and use or cause to be used so much of the sum appropriated above as they deem wise for the purpose of grading and preparing highways and expenses incident thereto for surface treatment. The County Board may, by written agreement, use a reasonable amount of any appropriation for Highway Department to match or secure any Federal aid available for highway work but such authority is not construed to affect, in any way, the operations and carrying out of the details provided for under the respective appropriations made for the department; but such authority is given in order that funds or grants may be received as a supplement to the items appropriated for.

TOTAL, ITEM 4\$378,000.00

ITEM 5. PUBLIC HEALTH AND WELFARE

(A) HOSPITALIZATION

1. Spartanburg General Hospital\$400,000.00

Provided, this appropriation is hereby reduced to the extent of any funds received from the State Income Tax and allocated to Spartanburg County for hospital and/or charity service.

All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the County government where salaries are set by the terms of this act.

The above appropriation shall include the operating expenses of the Woodruff Hospital as the trustees of the General Hospital shall deem necessary for the proper operation of the Woodruff Hospital. The Woodruff Hospital is hereby authorized and directed to take care of charity patients at the discretion of the trustees of the Spartanburg General Hospital. The Radiologist in charge of the department shall receive an annual salary of ten thousand dollars for directing the work of the department and for interpreting the X-Ray pictures of the charity patients. He shall receive as additional compensation forty per cent of the net profit accruing to the department so long as his earnings in the aggregate do not exceed the sum of twenty-five thousand dollars. Or in lieu of this proviso for compensation for the Radiologist in charge, the Trustees may pay an annual salary of twenty-five thousand dollars to the Radiologist in charge.

2. Spartanburg T. B. Hospital\$136,000.00

All stenographic and clerical employees shall be paid at a rate not in excess of equally rated employees in other departments of the County government where salaries are set by the terms of this act.

Notwithstanding any other provision of this act, the above appropriation may be apportioned monthly as the County Board may direct.

Any fees paid by patients in the Spartanburg Tuberculosis Hospital, for medical services of the Director, shall go into the general funds of Spartanburg County effective upon the passage of this act.

To replace Boiler	18,500.00
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|--|----------|
| 3. Spartanburg County Tuberculosis Association—There is hereby appropriated a sum not to exceed five thousand dollars for an X-Ray motor service operation | 5,000.00 |
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TOTAL, SECTIONS (A) 1, (A) 2, AND (A) 3	\$559,500.00
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(B) COUNTY HEALTH DEPARTMENT

Salaries, Travel and Incidentals	79,507.00
Retirement and Social Security for the fiscal year ending June 30, 1960	5,040.00
Dental Health Work	12,500.00
Rabies Control Program	5,000.00
Insect and Rodent Control Program	6,000.00
Auxiliary Health Centers	6,000.00

Total, Section (B)	\$114,047.00
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(C) DEPARTMENT OF PUBLIC WELFARE

Travel for Child Welfare Workers	\$ 2,520.00
Children's Fund for Boarding Home Care, medical, dental and other basic needs	9,000.00
Special Emergency Fund	9,000.00
Twelve hundred dollars of the above appropriation shall be spent only with the advice and consent of the Children's Court.	
Supplement County Director and four Supervisors	1,500.00
Supplement for staff members other than Supervisor (32 workers—\$15.00 each per month)	5,760.00

Social Security and Retirement 491.28

Total, Section (C) \$ 28,271.28

(D) COUNTY HOME

Maintenance \$ 1,000.00

Care of Aged, Indigent and Chronically Ill.. 50,000.00

The County Board is hereby authorized to enter into an agreement with any private eleemosynary corporation providing for the leasing of the facilities of the County Home at a nominal rental and to use the remainder of the above appropriation for the care of the aged, indigent and chronically ill of Spartanburg County in connection with such lease agreement.

Total, Section (D) \$ 51,000.00

(E) MENTAL HYGIENE CLINIC

Operating Expenses, Year Ending June 30, 1960 \$ 11,229.50

Provided, this appropriation shall be expended only for Mental Hygiene work in Spartanburg County.

Total, Section (E) \$ 11,229.50

(F) COUNTY SERVICE OFFICER

County Service Officer \$ 5,500.00

Travel—Service Officer 1,000.00

Secretary 2,925.00

Office Expenses 300.00

The County Service Officer or his assistant must be a veteran of World War II, and the employees shall observe the same working hours as those that prevail at the County Courthouse.

Any unused funds in the appropriation for the fiscal year ending June 30, 1960 shall be credited to Public Buildings Account for equipment and service rendered. If the funds provided by the State are not adequate to pay

the above appropriations, the excess shall be paid out of the general county funds.

The County Service Officer shall be paid seven cents a mile for the number of miles traveled on official business upon an itemized sworn statement submitted to the County Board.

Woodruff Service Officer	300.00
Office Expenses	300.00
Inman Service Officer and Expenses	750.00

Total, Section (F)	\$ 11,075.00
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TOTAL, ITEM 5	\$775,122.78
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ITEM 6. AGRICULTURE, FORESTRY AND RELATED AGENCIES

(A) COUNTY FARM AGENT'S OFFICE

County Farm Agent	\$ 1,260.00
Assistant County Farm Agents, (3) at \$300-.00 each	900.00
Stenographer	600.00
County Extension Office, Supplies	300.00
4-H Club Calf Chain	1,000.00
F.F.A. Calf Chain	1,000.00
Boys' and Girls' 4-H Club	300.00
Colored:	
County Agent	600.00
Home Demonstration Agent—Salary	850.00
Home Demonstration Agent—Supplies and Materials	200.00
Agricultural Agent—Supplies and Materials	200.00
Clerical Help	2,100.00
4-H Club Expenses	400.00
4-H Club Calf Chain	250.00
F.F.A. Calf Chain	250.00

Total, Section (A)	\$ 10,210.00
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(B) FORESTRY

Wardens, Three at \$35.00 a month each	\$ 1,260.00
Towerman, one at \$15.00 a month	180.00

Tractor Driver, one at \$10.00 a month for 8 months	80.00
Ranger, one at \$40.00 a month	480.00
Forestry and park needs	1,000.00
Total, Section (B)	\$ 3,000.00

TOTAL, ITEM 6\$ 13,210.00

ITEM 7. PUBLIC BUILDINGS

Maintenance and Utilities	\$ 70,000.00
Insurance	6,750.00
Burglary Insurance	500.00

TOTAL, ITEM 7\$ 77,250.00

ITEM 8. MISCELLANEOUS APPROPRIATIONS

City of Greer	\$ 200.00
This appropriation is to be used for Greer Public Library and for the benefit of citizens of Spartanburg County.	
Y.M.C.A. for Summer Camp	1,500.00
Spartanburg Memorial Auditorium Commission, Maintenance and Upkeep	5,000.00
<i>Provided</i> , this sum is appropriated contingent upon the appropriation by the City of Spartanburg of an equal amount for maintenance and upkeep.	

Loan to the Town of Inman 50,000.00

Provided, this amount is to be disbursed upon the execution of a note for the repayment of this loan as may be agreed upon by and between the County Board of Spartanburg County and the Town Council of the Town of Inman. *Provided*, further, the County Board of Spartanburg County is authorized to make this loan out of any surplus funds of the general funds of the county that may be available for the fiscal year ending June 30, 1959. If such surplus funds are not available, the loan may be made out of the general funds of the county on or after July 1, 1959.

National Guard Units:

Spartanburg City	500.00
Spartanburg City	500.00
Spartanburg, Medical	500.00
Lyman (1)	500.00
Lyman (2)	500.00
Woodruff	500.00
Inman	500.00
Inman	500.00
Pacolet	500.00
Greer	300.00

The appropriation for Greer is contingent upon Greenville County paying an equal amount.

Delegation Transferable Fund	15,000.00
Block Map System	10,000.00

Provided, this appropriation is available upon the passage of this act.

The funds provided herein shall be used for maintaining the present block map system and of making plans for enlarging the said system. The funds herein provided shall be expended by the County Board of Spartanburg County. Expenditures from the Delegation Transferable Fund and authorizations by the Delegation shall be made upon approval of a majority of the Delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the Secretary to the County Board of Control.

Registration Board	2,600.00
Travel, Registration Board	600.00
Ten (10) voting machines @ \$1,562.00 each ..	15,620.00
Freight, etc.	500.00
Sales Tax and Insurance	850.00
Civil Air Patrol, for maintenance and operation of planes and motor equipment	800.00
Spartanburg Planning and Development Board	2,500.00

TOTAL, ITEM 8\$109,970.00

ITEM 9. DEBT RETIREMENT

ORDINARY COUNTY BOND MATURITIES

Fiscal Year Ending June 30, 1960

<i>Kind of Bond</i>	<i>Principal</i>	<i>Interest</i>	<i>Commission</i>	<i>Total</i>
Refunding				
Issue of May 1, 1942				
at 2-½%	\$ 18,000.00	\$ 450.00	\$ 19.12	\$ 18,469.12
Auditorium				
Issue of March 1, 1948				
at 3-½%	30,000.00	6,375.00	45.94	36,420.94
Courthouse "A"				
Issue of Sept. 1, 1950				
at 2%	0	2,000.00	5.00	2,005.00
Courthouse "B"				
Issue of Mar. 1, 1951				
at 2-¼%	25,000.00	5,625.00	39.06	30,664.06
Courthouse "C"				
Issue of Jan. 1, 1957				
at 3-½%	20,000.00	16,100.00	66.00	36,166.00
Courthouse "D"				
Issue of June 1, 1957				
at 3-¾%	10,000.00	14,250.00	48.00	24,298.00
Courthouse and Jail				
Issue of Feb. 1, 1956				
at 2-½%	15,000.00	2,625.00	21.56	17,646.56
Courthouse and Jail				
Issue of June 1, 1956				
at 2-¾%	30,000.00	14,850.00	67.12	44,917.12
General Hospital				
Issue of Feb. 1, 1950				
at 2%	35,000.00	6,300.00	50.76	41,350.76
General Hospital				
Issue of Feb. 1, 1950				
at 2-¼%	25,000.00	1,125.00	27.82	26,152.82
General Hospital				
Issue of Apr. 1, 1956				
at 2-¾%	12,000.00	3,630.00	21.08	15,651.08

<i>Kind of Bond</i>	<i>Principal</i>	<i>Interest</i>	<i>Commission</i>	<i>Total</i>
Woodruff Hospital Issue of Oct. 1, 1954 at 2- $\frac{1}{4}$ %	5,000.00	5,118.75	17.80	10,136.55
Capital Improvement Issue of June 1, 1956 at 2- $\frac{3}{4}$ %	0	550.00	1.38	551.38
Capital Improvement Issue of Dec. 1, 1957 at 3- $\frac{3}{4}$ %	20,000.00	24,262.50	84.70	44,347.20
Capital Improvement Issue of June 1, 1958 at 3%	20,000.00	14,400.00	68.00	34,468.00
Capital Improvement Issue of Dec. 1, 1958 at 3- $\frac{1}{2}$ %	10,000.00	13,825.00	49.50	23,874.50
TOTAL	\$275,000.00	\$131,486.25	\$ 632.84	\$407,119.09

Interest—County and School Expense

Notes, and Expense on bonds\$ 8,500.00

TOTAL, ITEM 9\$415,619.09

Any surplus on hand at the close of any fiscal year or period shall be applied to the payment of the principal or interest on bonds maturing in the current year or any subsequent year, thereby reducing the levy proportionately; but the County Board of Spartanburg County may use such surplus funds to meet the payment of items appropriated for until taxes are available for payment of such items and for replacing of surplus funds allocated for payment of bonds and interest. The above appropriation shall include July 1, 1960 interest payments.

TOTAL, ITEMS 1-9\$2,500,014.18

ROAD IMPROVEMENT BOND MATURITIES YEAR
ENDING JUNE 30, 1960

<i>Kind of Bond</i>	<i>Principal</i>	<i>Interest</i>	<i>Commission</i>	<i>Total</i>
Series "H"				
Issue of Sept. 1, 1946				
at 1-½%	\$ 15,000.00	\$ 112.50	\$ 15.28	\$ 15,127.78
Series "I"				
Issue of June 1, 1947				
at 1-½%	20,000.00	150.00	20.38	20,170.38
Series "K"				
Issue of Aug. 1, 1949				
at 2%	30,000.00	2,700.00	36.75	32,736.75
Series "L"				
Issue of Dec. 1, 1949				
at 2%	20,000.00	1,800.00	24.50	21,824.50
Series "M"				
Issue of June 1, 1950				
at 2-¼%	45,000.00	6,075.00	60.18	51,135.18
Series "N"				
Issue of July 1, 1953				
at 3%	21,000.00	5,445.00	34.61	26,479.61
Series "O"				
Issue of Aug. 1, 1954				
at 2%	10,000.00	4,100.00	20.25	14,120.25
Series "P"				
Issue of Sept. 1, 1955				
at 2-½%	20,000.00	4,500.00	31.25	24,531.25
Series "Q"				
Issue of July 1, 1957				
at 3-¼%	0	8,937.50	27.50	8,965.00
Series "R"				
Issue of Aug. 1, 1958				
at 2-¾%	20,000.00	7,975.00	49.00	28,024.00
Capital Improvement				
Issue of June 1, 1956				
at 2-¾%	20,000.00	4,400.00	31.00	24,431.00
Total	\$221,000.00	\$ 46,195.00	\$ 350.70	\$267,545.70

SECTION 2.

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SECTION 3. The County Board of Spartanburg County shall have full authority to make such regulations and contracts for the purchase of calves from the appropriation for calf chains as they deem necessary and proper for promoting the development of better dairy cattle in Spartanburg County.

SECTION 4. The Board of Assessors and Equalization for outside the city shall be paid ten dollars each per day and seven cents per mile one trip.

SECTION 5. The appropriations in the annual Supply Act shall cover salaries of officials and shall be in lieu of all fees, costs and other compensations, and all fees and costs collected by each of them shall be turned over by them each month to the county treasurer for the benefit of the county as provided by law.

SECTION 6. It is hereby directed that all boards of Spartanburg County shall at all times hold open sessions to the public. However, the right is reserved to all boards to have executive sessions similar to the rights reserved to the General Assembly in the State Constitution.

SECTION 7. The balances shown to the credit of the following departments for the fiscal year ending June 30, 1959 are hereby

authorized to be carried forward and added to the appropriation or appropriations for the fiscal year 1959-60, for necessary maintenance and operations: County Home and County Home Nursing, County Farm, Public Buildings, for paint and materials, T. B. Hospital, General Hospital, County Highway Department Maintenance and Road Improvement, County Health Department, Spartanburg County Library.

SECTION 8. The County Board of Spartanburg County is hereby authorized to have an audit made of the affairs and doings of the offices, departments and officials of Spartanburg County by a certified public accountant for the fiscal year ending June 30, 1960. The board is authorized to invite bids from qualified certified public accountants for the work to be performed and to accept or reject any and all bids; *provided*, however, final acceptance of a bid shall be subject to the approval of a majority of the County Delegation given at a duly and regularly called meeting thereof.

The person or firm making the audit shall, in addition to the audit itself, be required to make a report of its findings, conclusions and recommendations to the county board with respect to improvement of accounting practices in various offices and departments of the county.

The County Board of Spartanburg County is authorized to investigate and make recommendations to the County Delegation concerning any deficiencies in any department of Spartanburg County.

SECTION 9. For the Court of General Sessions and County Criminal Court there shall be not more than three bailiffs, who shall receive not in excess of five dollars each per day. For the Court of Common Pleas and County Civil Court there shall be not more than two bailiffs, who shall receive not in excess of five dollars each per day. Jurors for the Circuit Court and the County Court shall receive a per diem of ten dollars each per day in addition to the mileage as now provided by law. There shall be appointed by the Sheriff a Court Crier who shall act also as a bailiff at all terms of court. Jurors of the Coroner's Jury shall receive three dollars each per day.

SECTION 10. Any bonds authorized to be issued or to be authorized to be issued on which any maturities of interest and/or principal comes due within the fiscal year ending June 30, 1959, and for June 30, 1960, payment of same is hereby authorized out of the general

funds of Spartanburg County. *Provided*, the payments of such maturities are specified to be paid out of the county levy in the respective bond acts.

SECTION 11. Any contracts or agreements for the expenditure of funds in this appropriation act for the operation of the joint City-County radio station shall not obligate Spartanburg County unless previously approved by the Spartanburg County Delegation.

SECTION 12. Expenditures from the Delegation Transferable Fund and authorizations by the Delegation shall be made upon approval of a majority of the Delegation, including the Senator, at a duly and regularly called meeting and upon written certification thereof by the Secretary to the County Board of Control.

SECTION 13. The County Board of Spartanburg County shall make provision for Workmen's Compensation coverage of all employees of Spartanburg County to which it may be applicable. The following departments of Spartanburg County shall keep separate records for Workmen's Compensation Insurance and pay the premiums therefor from their own budgets:

Spartanburg General Hospital, including Woodruff Hospital
County Highway Department
Spartanburg Tuberculosis Hospital
County Health Department
The County Board of Spartanburg County
Spartanburg County Library

SECTION 14. The County Board of Spartanburg County shall disburse all appropriations provided herein for travel for all County employees, except elected officials, on sworn itemized statements of the employee that the travel was performed in carrying out the duties of his or her job and on business of the County, at the rate of seven cents per mile. The Board is authorized to prescribe such further rules and forms as will carry out the purposes of this section.

Provided, the amount paid out by the County Board shall not exceed the amount provided by the terms of this act.

SECTION 15. The Bureau of Vital Statistics is hereby authorized to make a search of records and furnish a statement of age or other data without charge. This does not apply to the usual fee for the certification of any record.

SECTION 16. The County Board of Spartanburg County is authorized and directed to administer and regulate salaries and wages of employees and clerical help provided for in this act in accordance with the salary schedule classification and policies as set forth in the survey adopted for Spartanburg County. Salary adjustments in accordance with salary schedule are to become effective with the beginning of each fiscal year.

SECTION 17. The payment of the purchase of a used bulldozer for the Highway Department, in the amount of thirteen thousand dollars was approved and this is to be paid for from revenue accruing from work being done for the Spartanburg Water Works.

SECTION 18. The county board is authorized to negotiate and enter into agreement with any state or federal agency for the use of county offices at such rental as may be agreed on from time to time.

Provided, further, the County Board is authorized to provide rules and regulations governing the occupancy of the new Courthouse and the use of the County Courthouse parking lots.

SECTION 19. All acts or parts of acts inconsistent herewith are repealed.

SECTION 20. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R551, H1686)

No. 524

An Act To Extend The Terms Of Office Of The Members Of The Woodruff-Roebuck Water District Commission In Spartanburg County; To Provide For The Election Of Commissioners Of Such District; To Set Forth The Procedure To Be Followed In The Event Twenty Per Cent Of The Electors Within Such District Petition For An Election; And To Designate The Areas Within The District Wherein The Members Shall Reside.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Spartanburg County—terms of Woodruff-Roebuck Water District Commissioners.—The terms of office of the present

members of the Woodruff-Roebuck Water District Commission in Spartanburg County are hereby extended to July thirtieth in the year in which the General Election is held following their present term.

SECTION 2. Election of members—petition.—If twenty per cent of the qualified electors residing in the Woodruff-Roebuck Water District in Spartanburg County on or before April first preceding the expiration of the term of any member of the Woodruff-Roebuck Water District Commission petition the commissioners of election for an election to be held to determine the successor to such member, then the successor to such member shall be elected by the residing electors in the district and thereafter all successors to members of the Woodruff-Roebuck Water District Commission shall be elected by the residing electors in the district. The petition shall be filed with the Spartanburg County Commissioners of Election. The commissioners of election shall give adequate notice of the time and place of the election and furnish ballots and otherwise supervise and conduct the election. The election shall be held on the second Tuesday in June of the General Election Year. The expenses of the election shall be paid by the Woodruff-Roebuck Water District.

SECTION 3. Areas members to reside in.—Upon the expiration of the terms of the present members of the Woodruff-Roebuck Water District Commission their successors shall be elected so that one of the members shall reside north of Big Ferguson Creek and two of the members shall reside south of Big Ferguson Creek in Spartanburg County.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

An Act To Authorize The County Board Of Spartanburg County To Issue Not Exceeding Two Hundred Ten Thousand Dollars Of Bonds Of Spartanburg County For The Purchase Of Stone,

Asphalt, Culverts, Other Road And Bridge Materials And For The Payment Of Labor Costs Incident To The Use Of Such Materials; To Direct The Manner In Which The Bonds Shall Be Sold And The Proceeds Thereof Shall Be Expended; And To Provide For The Payment Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Spartanburg County may borrow money.—The County Board of Spartanburg County may borrow from or through an agency of the United States Government, any bank, institution or lending agency, or as it may deem advisable, not exceeding two hundred ten thousand dollars, to be evidenced by serial coupon bonds, bearing interest at such rate not exceeding four and one-half per cent per annum as may be determined by the County Board, payable semiannually, or otherwise, the principal of which shall mature during each year and in such installments as the County Board of Spartanburg County shall determine, but no installment shall mature later than twenty years after date of issue.

SECTION 2. Bond issue.—The bonds as authorized in Section 1 shall be issued at such time or times and shall mature at such times and shall be issued in such denominations as may be determined by the County Board of Spartanburg County, and in such amounts as necessary, based upon the requests of the Supervisor of Spartanburg County. The bonds shall be signed by the members of the county board, or a majority thereof, and countersigned by the Clerk of the County Board of Spartanburg County, and the seal of the County Board of Spartanburg County shall be affixed to or impressed on each bond, but the coupons on the bonds need not be authenticated otherwise than by a facsimile signature of the county treasurer. The principal and interest on the bonds may be payable within or without the State of South Carolina. The bonds shall be payable to bearer but may be issued with the privilege to the holder of having them registered as to principal on the books of the county treasurer, and the principal thus made payable to the registered holder (unless the last registered transfer shall be to bearer) upon such conditions as the County Board of Spartanburg County may prescribe. The bonds shall be sold and delivered upon a basis of not less than par and accrued interest.

SECTION 3. Payment.—So much as is necessary of the one cent gasoline tax distributed to Spartanburg County during the life of the

bonds, and for such period thereafter as may be necessary to pay the same, shall be pledged and used and applied to the payment of the principal and interest on the bonds, notwithstanding any different use of the tax now prescribed; except that bonds authorized and issued under authority of Act No. 611 of the Acts of 1937, and any amendments thereto, in the sum of five hundred thousand dollars; bonds authorized and issued under the authority of Act No. 709 of the Acts of 1939, and any amendments thereto, in the sum of two hundred thousand dollars; bonds authorized and issued under authority of Act No. 946 of the Acts of 1942, and any amendments thereto, in the sum of one hundred fifty thousand dollars; bonds authorized and issued under authority of Act No. 812 of the Acts of 1946, and any amendments thereto, in the sum of five hundred thousand dollars; bonds authorized and issued under authority of Act No. 664 of the Acts of 1949, and any amendments thereto, in the sum of one million dollars; bonds authorized and issued under authority of Act No. 524 of the Acts of 1953, and any amendments thereto, in the sum of two hundred fifty-three thousand dollars; bonds authorized and issued under authority of Act No. 934 of the Acts of 1954, and any amendments thereto, in the sum of two hundred fifty thousand dollars; bonds authorized and issued under authority of Act No. 585 of the Acts of 1955, in the sum of two hundred fifty thousand dollars; bonds issued under authority of Act No. 667 of the Acts of 1957, in the sum of two hundred seventy-five thousand dollars; and bonds issued under authority of Act No. 1191 of the Acts of 1958, in the sum of three hundred thousand dollars, are a prior lien until such bonds are fully retired. If for any reason whatsoever the gasoline tax is insufficient for the prompt payment of the bonds and the interest thereon as they severally mature, then there is hereby pledged, in addition to the revenue from the gasoline tax distributed to Spartanburg County, the full faith and credit of Spartanburg County, and there shall be levied annually upon all the taxable property in Spartanburg County, by the county auditor, and collected by the county treasurer, a tax sufficient to pay the principal and interest on the bonds as they respectively mature.

SECTION 4. Proceeds.—The proceeds of the sale of the bonds shall be deposited with the county treasurer in a special account to be disbursed for the purposes herein stated by the treasurer on warrants

drawn thereon by the County Board of Spartanburg County, upon properly itemized and sworn statements of the county supervisor.

SECTION 5. Purchases—bids.—All stone, asphalt, culverts and road and bridge materials purchased, and all labor costs paid for, from the proceeds of the sale of the bonds herein authorized shall be purchased or paid for by the County Supervisor of Spartanburg County, subject, however, to the following provisions and conditions:

The County Supervisor of Spartanburg County shall advertise for bidders to furnish such stone, asphalt, culverts or other road and bridge materials in one or more of the daily Spartanburg papers and publish the same therein not less than one time at least two weeks prior to the date and place of sale, which shall be specified in such advertisement; the advertisement likewise shall contain a notice to prospective bidders requiring them to make up and file their bids, duly sealed, with the county supervisor, and a duplicate thereof in the office of the county board, none of such bids to be opened until the time specified in the notice of sale for the opening of bids; the advertisement shall further contain a notice to the prospective bidders that all bids are subject to the final approval or disapproval of the county board, and the county board is hereby given the power and authority, after receipt of such bids and the presentation to the board by the county supervisor of his recommendation as to the acceptance or rejection made and filed; and in the event of the rejection of all bids, new bids shall be advertised for by the county supervisor subject to the terms and provisions hereinabove set forth.

SECTION 6. Use of proceeds.—The proceeds of the sale of the bonds authorized under this act shall be used for the purchase of stone, asphalt, culverts and road and bridge materials for the construction and surface treatment of public roads and bridges in Spartanburg County, and for the payment of labor costs incident to the use of such materials: *provided*, not in excess of fifty thousand dollars may be expended for labor costs. *Provided*, further, the County Board of Spartanburg County may use all or any part of the proceeds from the sale of bonds for matching or securing federal aid or any other aid to the extent deemed necessary or advisable by the County Board of Spartanburg County to the end that greater mileage of roads may be constructed and surface treated than would be without such grants or matching of federal or other funds.

SECTION 7. Saving clause.—The sections and provisions of this act are separable and not matters of mutual essential inducement, and it is intended to confer the whole or any part of the powers herein provided for; and if any of the sections or provisions or parts thereof are for any reason declared unconstitutional, it is intended that the remaining sections and provisions, or parts, shall remain in full force and effect.

SECTION 8. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 9. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R351, S244)

No. 526

An Act To Authorize Sumter County To Sell Certain Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Sumter County may sell certain property.—The Sumter County Board of Commissioners is hereby authorized to sell and convey, upon such terms and conditions as it considers advantageous to the county any or all of the following described property which is owned by Sumter County; and any such sales and conveyances heretofore made by Sumter County are hereby validated, ratified and confirmed :

All of that tract of land now owned by Sumter County and which is situate in the City and County of Sumter, State of South Carolina, containing about 84 acres, and being the Northernmost tract of land shown on a plat or drawing, made by Engineers of the United States Government, bearing number 4719014, of the Municipal Auxiliary Field and bounded now or formerly as follows : Northeast by the right-of-way of the Northwestern Railroad Company of South Carolina; Southeast by lands of Jennings; Southwest by lands of McCaskill and Northwest by lands now or formerly of Moore. Said tract of land is a portion of a tract of 154 acres conveyed to Etta McCaskill by deed of H. J. Harby of record in the office of the Clerk of Court for

said County in Book R-4 at page 141, there having heretofore been conveyed by Etta McCaskill to C. C. Moore 50 acres therefrom, and the said 84 acres was taken from the 104 acres remaining; and a plat of the entire original tract conveyed to Etta McCaskill as aforesaid of record in said office in Book O-4 at page 121.

Also all of the right, title and interest which Etta McCaskill had or was entitled to assert in and to that portion of the Northwestern Railroad Company right-of-way at the Northeast section of the tract of land above described which she conveyed to Sumter County.

The property herein described contains 79.8 acres and is shown as Tract One on plat of Palmer and Malone, C. E.'s dated November 4, 1955 and recorded in the Office of the Clerk of Court for Sumter County in Plat Book Z-13 at page 67.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R392, H1550)

No. 527

An Act To Provide For A Levy Of Taxes For School And County Purposes For Sumter County For The Fiscal Year Commencing July 1, 1959; To Direct The Expenditure Thereof; To Fix The Salaries Of Certain Officers; And For Other County Purposes.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The Auditor of Sumter County is hereby authorized to levy on all taxable property in the County of Sumter not in excess of fourteen mills as may be necessary for general county purposes; *provided*, that one mill be reserved for expense of reappraisal of property.

Item 1. Roads and Bridges:

A-70 General Roads and Gang Camp	\$ 75,860.00
A-71 Maintenance of Sumter City Streets	50,000.00
A-72 Salary—County Engineer	7,800.00
A-73 Salary—Road Superintendent	5,880.00
A-74 Salary—Consultant Engineer	1,500.00
A-75 Salary—Stockade Yard Superintendent	4,320.00
A-80 Salaries—Guards and Machine Operators	49,840.00
A-85 Purchase New Autos, Trucks and Road Equip- ment	10,000.00
A-90 Upkeep and Repairs—Buildings	1,000.00

TOTAL, ITEM 1—ROADS AND
BRIDGES

\$206,200.00

Item 2. Public Buildings:

(Furniture, Fixtures & Office Equipment)

A-101 Upkeep and Repairs, Public Buildings	\$ 5,000.00
A-102 Purchase Furniture, Fixtures and Office Equip- ment	2,500.00
A-103 Repairs and Maintenance, Furniture, Fixtures and Office Equipment	800.00
A-104 Insurance, Fire, Storm, Burglary and Explosion	3,031.00
A-105 Water, Lights, Fuel, Sanitary Supplies	9,000.00
A-106 Salary—County Buildings Maintenance Super- visor	2,700.00
A-110 Care Public Grounds, Trees and Shrubbery ...	600.00

TOTAL, ITEM 2—PUBLIC BUILDINGS .. \$ 23,631.00

Item 3. Court Expenses:

A-120 Jury Pay and Court Expense (Upper Court and Magistrates)	\$ 9,000.00
A-121 Court Stenographer—Supplies	20.00

Total

9,020.00

Clerk of Court:

A-125 Salary—Clerk of Court	7,500.00
A-126 Salary—Deputy Clerk of Court	4,800.00
A-127 Salary—Clerk I, Clerk of Court	3,000.00

A-128 Salary—Clerk II, Clerk of Court	2,700.00
A-129 Salary—Clerk II, Clerk of Court	2,520.00
Total—Clerk of Court	20,520.00
Coroner:	
A-140 Salary—Coroner	2,100.00
A-145 Coroner's Inquests, Jurors, Autopsies, Stenographer	2,000.00
Total—Coroner	4,100.00
Magistrates:	
A-150 Salary—Magistrate 3rd District	3,300.00
A-151 Salary—Clerk I, Magistrate 3rd District	2,760.00
A-155 Salaries—Other seven County Magistrates (\$100.00 per month)	8,400.00
Total—Magistrates	14,460.00
Master:	
A-160 Office Rent—Master	240.00
Total—Master	240.00
Probate Judge:	
A-165 Salary—Clerk II, Stenographer to Probate Judge	2,520.00
Total—Probate Judge	2,520.00
Lunacy Examinations:	
A-175 Mental Health Examinations and Transportation	2,000.00
Total—Lunacy Examinations	2,000.00
Civil and Domestic Relations Court:	
A-180 Salary—Judge	8,500.00
A-182 Salary—Probation Counsellor	4,800.00
A-183 Mileage—Probation Counsellor	300.00
A-186 Salary—Clerk I, Court Stenographer, Part-time Employee	1,800.00
A-187 Salary—Clerk II, Steno-Bookkeeper	2,700.00
A-191 Jury Pay and Court Expense	2,000.00
Total—Civil and Domestic Relations Court	20,100.00

Jail:	
A-200 Food—Jail	5,000.00
A-200A Maintenance and Supplies—Jail	500.00
A-201 Salary—Jailer	3,000.00
A-203 Salary—Turnkey	2,400.00
Total—Jail	10,900.00
TOTAL, ITEM 3—COURT EXPENSES ..	\$ 83,860.00
Item 4. Poor and Needy:	
Emergency Relief:	
A-210 Relief—General and Emergency (City—one-half)	\$ 1,000.00
A-211 Charity Coffins	2,400.00
Total—Emergency Relief	3,400.00
Department of Public Welfare:	
A-220 Department of Public Welfare—Emergency Fund	600.00
A-222 Child Welfare Worker—Travel and Legal Expense	250.00
Total—Department of Public Welfare	850.00
Hospitalization:	
A-225 Tuomey Hospital—City and County Indigent Cases	25,000.00
A-226 D.P.W. Certification of Charity Hospitalization	2,000.00
A-228 Outpatients—Other hospitals and homes	2,500.00
Total—Hospitalization	29,500.00
Tuberculosis:	
A-232 Florence-Darlington TB Sanatorium	2,000.00
A-235 Pneumothorax, Outpatients' Medicines	250.00
Total—Tuberculosis	2,250.00
<i>Provided, this fund shall be disbursed at the discretion of the county board of commissioners.</i>	
Nursery Center:	
A-241 Recreation and Nursery Center	240.00
Total—Nursery Center	240.00

Charity School Clothing:

A-244 Clothing—Needy School Children	1,500.00
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Total—Charity School Clothing	1,500.00
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Health Department:

A-247 Sumter City-County Department of Health ...	27,955.54
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A-248 Pharmaceuticals, Epidemics, Drugs, etc.	100.00
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Total—Health Department	28,055.54
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County Service Officer:

A-250 County Service Officer—Salary Supplement ..	600.00
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A-252 Part Salary—Clerk II, Stenographer to Service Officer	960.00
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A-256 Office Expense—County Service Officer	225.00
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Total—County Service Officer	1,785.00
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Children's Orphanages and Home Care:

A-260 Carolina Childrens Home—Trustee Account..	720.00
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Total—Children's Orphanages and Home Care	720.00
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Pensions:

A-270 Confederate Widows' Pensions	900.00
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Total—Pensions	900.00
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TOTAL, ITEM 4—POOR AND NEEDY..	\$ 69,200.54
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Item 5. Law Enforcement:

Sheriff's Department:

A-275 Salary—Sheriff	\$ 7,500.00
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A-276 Auto and Expense—Sheriff	1,500.00
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A-277 Salary—Chief Deputy Sheriff	3,900.00
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Expense in lieu of Auto	2,940.00
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A-278 Asst. Chief Deputy Sheriff	3,600.00
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Expense in lieu of Auto	2,940.00
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A-285 Salaries—7 Deputy Sheriffs (\$290.00 per month each)	24,360.00
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Expense—7 Deputy Sheriffs (\$235.00 per month each)	19,740.00
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A-292 Salary—Clerk II, Sheriff's Office	2,700.00
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A-295 Extra Office Help—Sheriff	500.00
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A-298 Uniforms and Clothing Supplies	2,200.00
A-299 Arms, Ammunition, Technical Supplies	500.00
A-301 Radio—Services and Supplies	3,000.00
A-302 Transportation of Prisoners	1,000.00
A-303 Secret Service and Rewards	1,000.00
A-304 Police—Insurance and Annuity Fund	12,000.00

Total—Sheriff's Department 89,380.00

Solicitor:

A-310 Expense—Solicitor	600.00
A-311 Salary—Clerk II, Solicitor's Office	2,400.00

Total—Solicitor 3,000.00

Probation Office:

A-313 Office Expense—Probation Officer	100.00
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Total—Probation Office 100.00

County Attorney:

A-315 Salary—County Attorney (Retainer)	900.00
A-316 Legal Expense	2,000.00
A-317 Expense, Resident Judge, 3rd Judicial Circuit ..	600.00

Total—County Attorney 3,500.00

TOTAL, ITEM 5—LAW ENFORCEMENT \$ 95,980.00

Item 6. Administration:

County Board of Commissioners:

A-320 Salary and Travel—County Board of Commis- sioners	\$ 7,300.00
A-323 Salary—Clerk to Board of Commissioners	6,500.00
A-325 Salary—Steno-Bookkeeper and Asst. Clerk to Board	3,300.00
A-330 Contingent Fund—County Board	1,800.00

Total—County Board of Commissioners 18,900.00

Auditor's Office:

A-335 Salary—Auditor (County Portion)	2,300.00
A-336 Salary—Deputy Auditor	3,600.00
A-337 Salary—Clerk II, Auditor's Office	2,700.00
A-338 Salary—Clerk II, Auditor's Office	2,400.00

A-340 Extra Help—Auditor (Office and Tax Return Check Rider)	800.00
A-341 Per Diem—Board of Tax Assessors and Tax Appeal Board	1,500.00
Total—Auditor's Office	13,300.00
Treasurer's Office:	
A-344 Salary—Treasurer (County Portion)	3,000.00
A-346 Salary—Clerk I, Bookkeeper to Treasurer	3,120.00
A-347 Salary—Clerk II, Treasurer	2,400.00
Total—Treasurer's Office	8,520.00
Tax Collector's Office:	
A-355 Salary—Tax Collector	4,800.00
A-356 Salary—Clerk I	2,760.00
A-357 Salary—Clerk II	2,400.00
A-360 Salary and Mileage—Tax Collection Riders ..	5,500.00
A-363 Extra Help—Tax Collector's Office	500.00
A-364 Tax Warrant Service Fees and Foreclosure Costs	1,000.00
Total—Tax Collector's Office	16,960.00
TOTAL, ITEM 6—ADMINISTRATION ..\$	57,680.00

Item 7. Miscellaneous County Accounts:

A-370 Telephone and Telegraph	\$ 4,000.0
A-371 Office Supplies and Postage	11,000.00
A-372 General Election Expense	200.00
A-374 C.P.A. Auditing Expense	3,000.00
A-375 Advertising—Tax Notices, Sales, Calls for Bids, etc.	500.00
A-376 Salary—Vital Statistics Clerk	2,400.00
A-377 S. C. Vocational Rehabilitation	1,000.00
A-380 Surety Bond Premiums, Officers and Employees ..	2,500.00
A-382 Workmen's Compensation (Self-insurer's premium tax)	100.00
A-383 S. C. Retirement—County's Share	9,000.00
A-384 Social Security—County's Share	5,000.00
A-385 Anti-Rabies Inoculation Campaign Expense ..	1,000.00
A-387 Sumter Chamber of Commerce	1,000.00

A-388	City Planning Commission	1,000.00
A-389	Sumter County Planning and Development Commission	5,000.00
A-391	Rent—Industrial Commission Quarters	150.00

TOTAL, ITEM 7—MISCELLANEOUS
COUNTY ACCOUNTS\$ 46,850.00

Item 8. National Guard and Defense:

A-392	Sumter County Armory Maintenance	\$ 1,000.00
A-393	U. S. Naval Reserve Unit No. 6-4	250.00
A-394	Rent—Naval Reserve Unit Quarters	450.00
A-395	Armed Services Y.M.C.A.	990.00

TOTAL, ITEM 8—NATIONAL GUARD
AND DEFENSE\$ 2,690.00

Item 9. Insect and Pest Control:

A-397	Sumter County Fly and Mosquito Control....	\$ 4,400.00
A-398	City D.D.T. Program	1,500.00

TOTAL, ITEM 9—INSECT AND PEST
CONTROL\$ 5,900.00

Item 10. Education:

County Board of Education:

A-402	Per Diem Expense—Board of Education	\$ 570.00
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Total, Board of Education 570.00

County Superintendent of Education:

A-405	Salary—Superintendent of Education	1,410.00
A-406	Salary—Clerk II, Steno-Bookkeeper to Superin- tendent of Education	2,700.00
A-407	Part Salary—School Attendance Supervisor ..	1,704.00
A-408	Salary—Clerk II, Stenographer to Attendance Supervisor	2,400.00

Total—Superintendent of Education 8,214.00

Future Homemakers' Association:

A-412	Future Homemakers' Association—Summer Camp and Economics Supervisor	200.00
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Total—Future Homemakers' Association 200.00

Home Demonstration Office :

A-415 Part Salary—Home Demonstration Agent	120.00
A-416 Part Salary—Assistant Home Demonstration Agent	240.00
A-417 Salary—Steno-Clerk to Home Demonstration Agent	1,380.00
A-418 Home Demonstration Agent—Supplies	125.00
A-419 Women's Home Club	50.00

Total—Home Demonstration Office 1,915.00

County Farm Agent :

A-430 Part Salary—Farm Agent	1,540.00
A-431 Part Salary—1st Assistant Farm Agent	240.00
A-432 Part Salary—2nd Assistant Farm Agent	1,300.00
A-433 Part Salary—Stenographer to Farm Agent	1,380.00
A-435 Travel—Farm Business Research Committee	200.00
A-436 Long Distance Telephone Expense—White Farm Agent	150.00

Total—County Farm Agent 4,810.00

Negro Home and Farm Agents :

A-445 Part Salary—Negro Farm Agent	360.00
A-446 Part Salary—Negro Home Demonstration Agent	920.00
A-447 Office Help—Negro Farm and Home Agents	1,600.00
A-448 Office Rent—Negro Farm and Home Agents and FHA Agent	618.00
A-449 Negro Home and Farm Agents—Equipment and Supplies	50.00

Total—Negro Home and Farm Agents 3,548.00

Negro School Supervisor :

A-452 Office Rent and Expense—Jeanes Teacher	210.00
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Total—Negro School Supervisor 210.00

4-H Camps and Club Work :

A-455 4-H Camp and Club Work Expense	650.00
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Total—4-H Camps and Club Work 650.00

Provided, this fund shall be disbursed at the discretion of the County Board of Commissioners.

County Fair:

A-465 Sumter County Fair Association	800.00
Aid to Cattle Show	500.00

Total—County Fair 1,300.00

Forest Ranger:

A-470 Part Salary—County Forest Ranger	240.00
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Total—Forest Ranger 240.00

Cotton Platform:

A-475 Annual Rental—Cotton Platform	360.00
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Total—Cotton Platform 360.00

Game Wardens:

A-480 Game Warden—Telephone Expense	120.00
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A-481 Game Wardens—three @ \$240.00 each	720.00
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A-481-A Salary Equalization, to be used for the purpose of equalizing salaries among the various wardens	360.00
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Total—Game Wardens 1,200.00

TOTAL, ITEM 10—EDUCATION\$ 23,217.00

GRAND TOTAL\$615,208.54

SECTION 2. Before any new county employee is employed by any department, the County Board of Commissioners shall first approve the salary or compensation to be received by such new employee.

SECTION 3. The amount herein provided for the salary of the Sheriff, Treasurer and Clerk of Court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year commencing July 1, 1959, except that the Sheriff shall be entitled to retain fees and filing costs for services in civil matters.

SECTION 4. The above accounts shall be kept separate and expended for the purposes for which appropriated; and the County Board of Commissioners shall not expend or contract to expend under any general item any sum greater than the amount for such general item herein appropriated, except with the approval of a majority of

the County Delegation, and no account against the county shall be approved or paid except a properly authorized expenditure by the county board.

SECTION 5. In the purchase of equipment, or articles needed in the operation of any branch of the county government, or in the employment of any person, firm or corporation, for any article or service to be rendered to the County of Sumter, price and quality being equal, preference shall be given to citizens, firms or corporations of Sumter County, if available, but if not available within the county, then preference on same basis shall be given to persons, firms or corporations of the State of South Carolina, and where not available within the county or State, they may be procured to best advantage from other sources. All county supply purchases (except for schools) shall be made through the office of the County Board of Commissioners and on purchases amounting to one hundred dollars or more, bids from two or more vendors shall be called for.

SECTION 6. The Treasurer of Sumter County is hereby authorized, empowered and directed to pay any sum of money from such fund or funds and for such purposes as she may be directed in writing by a majority of the Sumter County Legislative Delegation.

SECTION 7. The Chairman of the Sumter County Board of Commissioners shall have the custody and control of the second floor of the courthouse and no use shall be had of that part of the building without the consent and approval of the said chairman.

SECTION 8. The expense of the following items, while herein fixed at amounts of estimated needs, may vary in accordance with the fixed charges payable under such items as required by law, and by reason thereunder may not be sufficient.

- A 120 Jury Pay & Court Expense—Circuit Court
- A 191 Civil & Domestic Relations Court—Jury Pay & Court Expense
- A 383 South Carolina Retirement—County's share
- A 384 Social Security—County's share
- A 304 Police Insurance & Annuity Fund
- A 375 Advertising Tax Sales, Tax Notices, Bids, etc.
- A 402 Per diem—County Board of Education
- A 145 Coroner's Inquests, Jury Pay & Court Expense
- A 71 Maintenance Sumter City Streets

- A 175 Mental Health Examinations
- A 341 Per diem—Tax Assessors & Tax Appeal Boards
- A 183 Mileage—Probation Counsellor
- A 380 Surety Bond Premiums—Officials & Employees
- A 364 Tax Warrant Service fees
- A 382 Workmen's Compensation Premium Tax

The Treasurer of Sumter County is authorized to pay such sums as may be necessary to meet the fixed expenses of the items mentioned in this section in excess of the amount appropriated therefor.

SECTION 9. The County Board of Commissioners shall publish, in at least one newspaper published in the county, a consolidated statement of all receipts and disbursements annually, as of July first of each year.

SECTION 10. The Treasurer of Sumter County is directed to pay to the City of Sumter one-fourth of all amounts received from the tax on gasoline which is designated for general county purposes to be used for the maintenance of streets in the City of Sumter. The account hereby limited is designated A-71 above, and the county treasurer is authorized to pay only the amount fixed by this section, whether more or less than the amount shown under A-71 above.

SECTION 11. The county auditor shall deliver the tax books to the county treasurer not later than September first of each year.

SECTION 12. Notwithstanding the provisions of Section 64-151, Code of Laws of South Carolina, 1952, in Sumter County, only national Thanksgiving day, all general election days, the twenty-fifth and twenty-sixth days of December, the first day of January, the fourth day of July, and the first Monday in September shall be legal holidays.

SECTION 13. Additional levies for school purposes shall not be made in any district unless approved by the county board of education and a majority of the legislative delegation.

SECTION 14. All acts or parts of acts inconsistent herewith are repealed.

SECTION 15. This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R78, S67)

No. 528**An Act To Make A Supplemental Appropriation From The General Fund Of Union County To Provide Lighting Facilities For The Union Recreation Park Commission Stadium.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby appropriated from the general fund of Union County a supplemental appropriation in the amount of seventeen thousand seventeen dollars and twenty-five cents to provide lighting facilities for the stadium of the Union Recreation Park Commission of Union County.

SECTION 2. All expenditures shall be made upon unanimous authorization in writing of the Union Legislative Delegation.

SECTION 3. All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. This act shall take effect upon approval by the Governor.

Approved the 25th day of February, 1959.

(R33, S92)

No. 529**An Act To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Thirty-Five Thousand Five Hundred Dollars, And Certain Other Obligations Amounting To Thirty-Nine Thousand Five Hundred Dollars, And To Authorize The Governing Board Of Union County To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Union County For The Payment Of Such Obligations.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Findings of General Assembly—obligations of Union County ratified.—The General Assembly finds that previous to this enactment, the governing board of Union County borrowed the sum of one hundred thirty-five thousand five hundred dollars from the Arthur State Bank of Union, evidenced by a note dated October

15, 1958 and payable May 15, 1959. It also finds that the county has a current past due indebtedness of thirty-nine thousand five hundred dollars incurred out of funds appropriated by law for the operation of Union County. The General Assembly ratifies, approves and confirms the above obligations incurred on behalf of Union County by the governing board and declares these obligations to be legal, valid and binding upon Union County.

SECTION 2. Union County may issue bonds.—In order to obtain funds to pay the obligations referred to in Section 1, the county governing board is hereby authorized and empowered to issue not exceeding one hundred seventy-five thousand dollars of general obligation bonds of Union County.

SECTION 3. Term — maturity — redemption — interest.—The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the county governing board of Union County, except that the maturity date of the last installment shall fall due not later than fifteen years from the date the bonds bear, and the first maturity date may be postponed three years from the date the bonds bear. Any bond issued pursuant to this act shall contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the county governing board shall prescribe. The bonds shall bear such rate or rates of interest as the county governing board may determine, payable on such occasions as the board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Union County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the county governing board may prescribe. They shall bear such date or dates and be payable at such place or places as the said board may likewise prescribe.

SECTION 4. Execution.—The bonds and the interest coupons attached thereunto shall be executed in such manner as the county governing board shall prescribe.

SECTION 5. Sale.—The bonds shall be sold by the county governing board at not less than par and accrued interest to the date of their

respective deliveries at public sale and, at least ten days prior to any such sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a newspaper of general circulation in the State of South Carolina.

SECTION 6. Exempt from taxes.—The bonds and all interest to become due thereon shall have the tax exempt status prescribed by Act No. 730 of 1952.

SECTION 7. Payment.—For the payment of the principal and interest of all bonds issued pursuant to this act as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of Union County shall be irrevocably pledged, and there shall be levied annually by the Auditor of Union County, and collected by the Treasurer of Union County, in the same manner as county taxes are levied and collected a tax on all taxable property in Union County, sufficient to pay the principal and interest of such bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

SECTION 8. Action may be taken at any meeting.—Any action required of the county governing board may be taken at any meeting of the county governing board, regular or special, and at such meeting a majority of the members of the board shall constitute a quorum for the purpose of adopting a resolution making provision for the issuance of bonds pursuant to this act, awarding the sale of such bonds, or taking any other action permitted or required of the county governing board by the provisions of this act.

SECTION 9. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 10. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of February, 1959.

An Act To Amend Act No. 1204 Of The Acts Of 1958, Authorizing The State Highway Department To Construct Certain Roads In The City Of Union And Immediate Vicinity, So As To Add

Thereto Authority To Construct An Additional Road In The City Of Union.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1 of Act 1204 of 1958, amended—Highway Department may construct road in City of Union.—Section 1 of Act No. 1204 of the Acts of 1958 is amended by adding thereto the following subsection, to be subsection (3):

“(3) From Arthur Boulevard northerly to Davis Street; then westerly to Lakeside Drive at or near the intersection with the Pump Station Road.”

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 13th day of March, 1959.

(R148, H1317)

No. 531**An Act To Authorize And Empower The Lockhart School District Health Commission In Lockhart School District In Union County And The Treasurer Of Union County To Borrow Not Exceeding Twelve Thousand Dollars For Health And Hospital Purposes And To Provide For Its Payment.**

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lockhart School District Health Commission may borrow money.—The Lockhart School District Health Commission in Lockhart School District in Union County and the Treasurer of Union County are hereby authorized and empowered to borrow not exceeding twelve thousand dollars from the Division of Sinking Funds and Property to be used for health and hospital purposes in the district. The amount borrowed shall be evidenced by a note or notes executed by the Chairman and Secretary of the Lockhart School District Health Commission and the Treasurer of Union County, which note or notes shall bear interest at a rate not to exceed four per cent per annum, payable annually. The note or notes executed pur-

suant to this act shall mature and be payable not later than five years from the date of execution.

SECTION 2. Payment.—The Auditor of Union County is hereby authorized and directed to levy and the Treasurer of Union County to collect, as and when other property taxes are levied and collected in the county, an annual tax of sufficient millage on all of the taxable property in Lockhart School District to retire the note or notes as they become due.

SECTION 3. Further.—The loan made under the provisions of this act shall be a binding obligation of the Lockhart School District of Union County and the full faith, credit and taxing power of the school district are hereby pledged for its payment.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 19th day of March, 1959.

(R185, H1396)

No. 532

An Act To Authorize The Mayor And Council Of The City Of Union To Sell And Convey Certain Property.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. City of Union may sell certain property.—The Mayor and City Council of the City of Union are hereby authorized to sell and convey all of their rights, title and interest in certain property lying, being and situate in Union Township, Union County, and described as follows:

- (1) A lot and building thereon on Main Street presently occupied by the city treasurer and city utilities department;
- (2) A lot and house thereon located at the corner of Duncan Highway and Hart Street;
- (3) One small lot on Sharpe's Alley adjacent to the Carpenter property;

(4) A tract of land containing twenty-seven acres, more or less, located on the eastern side of U. S. Highway 176, south of the City of Union and located on Eison Road;

(5) A lot located on the south side of East Cohen Street of approximately fifty feet frontage and adjacent to property of Wilburn on the east and Williams Street on the west;

(6) A tract of land containing thirty-eight acres, more or less, located on the west side of U. S. Highway 176 and south of the City of Union and adjacent to South Hills Estates; and

(7) One lot and building thereon off Thompson Boulevard where present city garage is now located.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R246, S231)

No. 533

An Act To Amend An Act Entitled, "An Act To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Thirty-Five Thousand Five Hundred Dollars, And Certain Other Obligations Amounting To Thirty-Nine Thousand Five Hundred Dollars, And To Authorize The Governing Board Of Union County To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Union County For The Payment Of Such Obligations", Approved February 25, 1959, By Providing That Noncallable Bonds May Be Issued Pursuant Thereto.

Whereas, it is provided, among other things, by an act entitled "An Act To Validate A Certain Obligation Of Union County In The Amount Of One Hundred Thirty-Five Thousand Five Hundred Dollars, And Certain Other Obligations Amounting To Thirty-Nine Thousand Five Hundred Dollars, And To Authorize The Governing Board Of Union County To Issue Not Exceeding One Hundred Seventy-Five Thousand Dollars Of General Obligation Bonds Of Union County For The Payment Of Such Obligations", approved

the twenty- fifth day of February, 1959, as follows: "Any bond issued pursuant to this act shall contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the county governing board shall prescribe"; and

Whereas, it would be difficult to effect a literal compliance with this provision of the act without adversely affecting the rate of interest to be paid by Union County; and

Whereas, in view of the further limitation in the act that all bonds issued pursuant thereto must be retired not later than fifteen years from the date of issue, it has been decided by the General Assembly to amend Section 3 of said act by removing the quoted language therefrom. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 3 of Act 529 of 1959, amended—issue of bonds—maturity—interest—registration—where payable— may be noncallable.—Section 3 of the act referred to in the preambles hereof, is amended by striking therefrom the sentence reading: "Any bond issued pursuant to this act shall contain a provision permitting its redemption prior to its stated maturity at such redemption premiums as the county governing board shall prescribe", so that Section 3, as amended, shall read:

"Section 3. The bonds may be issued either as a single issue or from time to time in several separate issues. All bonds shall mature serially in successive annual installments of such amounts as may be determined by the county governing board of Union County, except that the maturity date of the last installment shall fall due not later than fifteen years from the date the bonds bear, and the first maturity date may be postponed three years from the date the bonds bear. The bonds shall bear such rate or rates of interest as the county governing board may determine, payable on such occasions as the board shall determine, but the average rate of interest for each issue of bonds sold pursuant to the authorizations of this act shall not exceed four per cent. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the Treasurer of Union County, and the principal thus made payable to the registered holder (unless the last registered transfer shall have been to bearer), upon such conditions as the county governing board may prescribe. They shall bear such date or dates and be payable at such place or places as the said board may likewise prescribe."

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R454, H1668)

No. 534

An Act To Appropriate Money For The Ordinary Operating Expenses Of Union County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Appropriate Money For Certain Other Purposes And To Provide A Tax Levy Therefor.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Subject to the terms and conditions of this act, the several sums of money hereinafter designated, if so much be necessary, are hereby appropriated to defray the ordinary operating expenses of Union County during the fiscal year beginning July 1, 1959, and ending June 30, 1960, and to provide for the other purposes hereinafter stated:

Item 1. Auditor's Office:

A. Salaries:

1. Auditor (County's part)	\$ 1,870.00
2. Clerk	2,725.00
3. Assistant Clerk	2,660.00

B. Travel in taking tax returns	200.00
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Total, Item 1

\$ 7,455.00

Item 2. Circuit Courts:

A. Expenses of Regular Terms	\$ 5,000.00
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Provided, that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day; the jury boy shall receive not exceed-

ing five dollars per day. The Sheriff of Union County shall not employ more than five Bailiffs or other attendants, exclusive of the Court Crier, at any term of Court of General Sessions, and more than four Bailiffs or other court attendants, exclusive of the Court Crier, at any term of Court of Common Pleas for Union County. The Clerk of Court shall employ an attendant or janitor during the session of court and such attendant or janitor shall receive eight dollars per day for his services.

Total, Item 2	\$ 5,000.00
Item 3. Civil and Criminal Court of Union, and Juvenile and Domestic Relations Court:	
A. Salaries:	
1. Judge	\$ 5,060.00
2. Solicitor	3,660.00
3. Court Reporter	2,725.00
B. Expenses, Regular Terms:	
Court Sessions	3,000.00
<i>Provided</i> , that the Grand Jurors and Petit Jurors shall be paid at the rate of ten dollars per day and shall receive mileage at the rate of ten cents per mile one way; the Court Crier and Bailiffs shall receive not exceeding eight dollars per day. The Sheriff of Union County shall not employ more than three Bailiffs or other attendants, exclusive of the Court Crier, at any term of the Court. The Clerk of Court shall employ an attendant or janitor during the session of the Court and such attendant or janitor shall receive eight dollars per day for his services. <i>Provided</i> , the Judge shall order the payment of the expenses of said Court. (Exempted from Section 8 and Section 16.)	
Total, Item 3	\$ 14,445.00

Item 4. Clerk of Court's Office:

A. Salaries:

1. Clerk of Court	\$ 4,870.00
2. Deputy Clerk	2,725.00
3. Recording Clerk	2,660.00
4. Microfilming	275.00

Total, Item 4\$ 10,530.00

Item 5. County Governing Board and Supervisor's Office:

A. Salaries:

1. Township Commissioners, 8 @ \$840.00 each ..	\$ 6,720.00
<i>Provided</i> , that they shall meet regularly at Union County Courthouse on the first Monday and third Friday of each and every calendar month during the fiscal year.	
2. Supervisor	4,375.00
3. Clerk to Supervisor	2,725.00
4. County Bookkeeper	3,830.00
5. Chain Gang Captain	2,710.00
Expenses	600.00
6. Chain gang Guards, 10 @ \$2,465.00 each	24,650.00
7. Mechanic	3,115.00
8. Janitor for Courthouse	2,660.00
9. County Doctor	812.50
10. County Attorney	1,035.00
11. Farmer at County Farm	2,140.00
12. Practical Nurses at County Home, 2 @ \$1,- 260.00 each	2,520.00
13. Housekeeper at County Home	905.00

B. Materials, Supplies and Repairs:

1. Maintenance and repair of road machinery, trucks	15,000.00
a. For purchase of new road machinery, if so much be needed	5,000.00
<i>Provided</i> , that the Supervisor shall cause to be kept an accurate record of the operating and repair costs with respect to each truck and/or machine.	
2. Bridges and Bridge Repairs	3,000.00

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|---|-----------|
| 3. Top soil and gravel for dirt road maintenance | 2,000.00 |
| 4. Feeding, clothing and housing convicts | 10,000.00 |
| <i>Provided</i> , the Captain of the chain gang shall make a monthly report in writing to County Supervisor of all food produced and the use made thereof at the County chain gang. | |
| 5. Gasoline, oil and grease | 12,000.00 |
| 6. Public buildings—repairs, heat, lights, power, water and telephone | 5,000.00 |
| <i>Provided</i> , that telephones in county offices shall not be used for long distance calls except on county business; and <i>provided</i> , further, that \$1,000.00 of the above figure is set aside exclusively for maintenance or repairs on the Courthouse, and is to be paid out only on order and approval of the Union County Legislative Delegation. | |
| 7. Books, stationery and office supplies | 5,000.00 |
| <i>Provided</i> , the different county officers in the Union County Courthouse may purchase the books, stationery and office supplies for their respective offices. (Exempted from Section 8 and Section 16.) | |
| 8. Materials for maintenance of surface-treated roads | 10,000.00 |
| <i>Provided</i> , that any money in excess of \$2,500.00 shall be approved by unanimous order of the Union County Legislative Delegation. | |
| C. 1. Surface-treating county roads, including necessary road preparation | 5,000.00 |
| <i>Provided</i> , that the plans and methods and any contracts for surface-treating such roads shall first be approved by the Governing Board, and the Governing Board shall designate the roads to be surface-treated, with unanimous approval of the Union County Legislative Delegation. | |
| D. County Home | 10,000.00 |
| <i>Provided</i> , the Superintendent of the County Home shall make a monthly report in writing to the County Supervisor of all food produced and | |

the use made thereof on the County Farm and at the County Home.

E. Miscellaneous Items:

1. Premiums for insurance on public buildings..	3,000.00
2. Workmen's Compensation Insurance Premiums	2,000.00
3. County's required contribution under Retirement System and Social Security	9,000.00
4. Post Mortems and Lunacies	500.00
<i>Provided, that doctors shall receive \$10.00 for each call to be paid under this item.</i>	

Total, Item 5\$155,297.50

Item 6. Magistrates and Constables:

A. Salaries:

1. Magistrate at Buffalo	\$ 867.08
2. Magistrate at Carlisle	867.08
3. Magistrate at Cross Keys	867.08
4. Magistrate at Goshen Hill	867.08
5. Magistrate at Jonesville	867.08
6. Magistrate at Lockhart	867.08
7. Magistrate at Santuc	867.08
8. Magistrate at Union Courthouse	4,375.00
9. Constable at Buffalo	730.66
10. Constable at Carlisle	730.66
11. Constable at Cross Keys	730.66
12. Constable at Goshen Hill	730.66
13. Constable at Jonesville	730.66
14. Constable at Lockhart	730.66
15. Constable at Santuc	730.66

Total, Item 6\$ 15,559.18

Item 7. Probate Judge and Master's Office:

A. Salaries:

1. Probate Judge and Master	\$ 4,870.00
2. Clerk to Probate Judge and Master	2,725.00

Total, Item 7\$ 7,595.00

Item 8. Sheriff's Office:

A. Salaries:

1. Sheriff	\$ 4,653.33
2. Official expense allowance for Sheriff	600.00
3. Nine Deputy Sheriffs @ \$3,600.00 each	32,400.00
4. Clerk to Sheriff	2,725.00
5. Jailer	3,600.00
6. Salary, Maintenance of radio system	600.00
7. Radio Supplies, if so much be necessary	2,500.00

Provided, that no funds shall be paid from this account unless approved by the County Radio Technician.

B. Supplies:

1. Dieting jail prisoners	4,000.00
2. Jail expenses, miscellaneous	1,200.00
3. Gasoline, oil and repairs for patrol automobiles and radio system	3,500.00

Provided, the Sheriff and his deputies shall be furnished with such gasoline and oil out of the supply at the county chain gang, which gasoline and oil shall be used only in discharge of their official duties or official business. The Sheriff and each Deputy Sheriff, upon receipt of such gasoline and oil, shall sign a ticket therefor, which ticket shall set forth the name of the officer receiving same, the amount received and the date thereof. Such tickets shall be transmitted to the county bookkeeper monthly and a permanent record of the monthly totals received by each official shall be kept by the bookkeeper and charged to this item.

4. Payment for two patrol cars to be purchased ..	3,000.00
<i>Provided</i> , purchases shall be approved by the Governing Board and Legislative Delegation.	

Total, Item 8\$ 58,778.33

Item 9. Treasurer's Office:

A. Salaries:

1. Treasurer (County's part)\$ 1,870.00

2. Clerk to Treasurer 2,725.00

B. Travel in collecting taxes 100.00

 Total, Item 9\$ 4,695.00

Item 10. Miscellaneous Appropriations:

A. Coroner's Salary\$ 1,901.66

B. Health Officer's Salary (County's part) 845.42

C. Board of Equalization 2,000.00

Provided, that each member of the Board of Assessors shall receive \$8.00 per day for services actually performed.

D. Premiums on Officers' Bonds 1,000.00

E. Audit of Union County's books to be made under the direction of the Grand Jury of Union County 2,500.00

F. Contingent Fund for Union County Legislative Delegation to meet unforeseen requirements 10,000.00

G. Adult Education 1,500.00

H. School Lunch Programs 5,000.00

Provided, no money shall be expended from this appropriation except upon written and unanimous legislative delegation order and certification of entitlement by Union County Public Welfare Department and Union County Public Schools.

I. To be expended as high school textbook rental for children whose parents or guardians are receiving public welfare funds for support, provided Union County Public Welfare Department and Union County Public Schools shall certify entitlement 500.00

J. Lockhart Athletic Field 5,000.00

Provided, same shall be expended for seats and improving High School athletic field. This fund is to be paid out on Delegation order.

 Total, Item 10\$ 30,247.08

Item 11. Pensions and Contributions:

A. Widows of Confederate Veterans	\$ 600.00
<i>Provided</i> , that each such widow enrolled in Union County shall receive \$25.00 per month.	
B. Hope Hospital	5,000.00
C. Wallace Thomson Hospital (Payable monthly)	25,000.00
D. Salvation Army	900.00
E. Boy Scouts	300.00
F. Girl Scouts	300.00
G. Boys' City, Laurens, S. C.	100.00
H. Union County Tuberculosis Clinic	900.00
I. American Legion:	
1. Buffalo Post	100.00
2. Jonesville Post	100.00
3. Lockhart Post	100.00
4. Union Post	100.00
J. Veterans of Foreign Wars	100.00
K. National Guards:	
1. Co. A 218th Infantry (Union)	750.00
2. Troop A, 53rd Cavalry Div. (Lockhart)	750.00
3. Hdq. Co., 1st Battalion (Union)	750.00
4. Heavy Motor Company, 218th Infantry (Jonesville)	750.00
Where companies are combined, the combined units shall share pro rata in the combined funds.	
L. Jonesville Chapter, Future Farmers of America	200.00
M. Union Community Hospital (Payable monthly)	1,500.00
N. Union County Soil Conservation Committee ..	300.00
<i>Provided</i> , payment of this item shall be made on Delegation order.	
O. Salary, Service Men Emergency Leave Requests, Union County Chapter, American Red Cross ..	420.00
<i>Provided</i> , payment of this item shall be made on Delegation order.	

Total, Item 11\$ 39,020.00

Item 12. Supplements for State and Federal Agencies:

A. County Service Officers:	
1. Service Officer's Salary	\$ 1,295.00
2. Salary of Assistant to Service Officer	970.00

3. Travel for Service Officer	380.00
B. Health Department:	
1. General Services	7,387.00
<i>Provided</i> , however, that at least two Public Health Nurses shall be employed at all times.	
2. For Rabies Control, to be used by the County Health Department as it deems most effective for controlling rabies in Union County.	700.00
C. Vital Statistics Registrar	515.00
<i>Provided</i> , that each local registrar shall be paid out of this fund the sum of \$25.00 per year as travel expense in addition to his usual fees.	
D. Home Demonstration Agent's Office (White):	
1. Stenographer's Salary	1,101.66
2. Demonstration supplies, stamps and telephone, etc.	150.00
3. Agent's Salary	255.00
E. Home Demonstration Agent's Office (Negro):	
1. Agent's salary and travel	780.00
2. Rent (Home Demonstration Agent and Agricultural Agent—joint)	288.00
3. 4-H Club Work for Colored Girls	100.00
4. Fuel	40.00
5. Stenographer's Salary	385.00
6. Demonstration Material	50.00
F. Agricultural Agent's Office (White):	
1. Agent's Salary	710.00
2. Stenographer's Salary	450.00
3. Rent—to be paid monthly	228.00
4. 4-H Club Work (White)	150.00
5. Stamps, Incidentals	25.00
G. Agricultural Agent's Office (Negro):	
1. Telephone—joint with Home Demonstration Agent (Negro)	99.00
2. 4-H Club Work (Negro)	100.00
3. Stenographer's Salary	1,035.00
4. Equipment and demonstration supplies	50.00
H. Circulating Library:	
1. Salary—Head Librarian	1,945.00
2. Salary—Librarian Assistant	1,750.00
3. Rent, to be paid monthly	72.00

4. Purchase of Books	500.00
I. Agricultural Conservation Association:	
1. Rent, to be paid monthly	480.00
J. Farm Home Administration:	
1. Rent, to be paid monthly	240.00
K. Soil Conservation Service:	
1. Rent, to be paid monthly	240.00
L. County Department of Public Welfare:	
1. Salaries:	
(a) Director	710.00
(b) Visitors, 4 @ \$645.00 each	2,580.00
(c) Stenographers, 2 @ \$645.00 each	1,290.00
(d) Board Members, 3 @ \$710.00 each	2,130.00
2. Rent and Miscellaneous Office Expenses	1,000.00
<i>Provided</i> , that one-fourth of this item shall be remitted by the County Treasurer quarterly to the State Department of Public Welfare for matching federal funds for these purposes, and that all items paid out of such funds by the State Department shall be first approved by the Director of the Union County Department of Public Welfare.	
3. Foster Home Fund	500.00
4. Emergency Relief, to be disbursed by orders of a majority of the Union County Board of Public Welfare after proper investigation	1,500.00
M. County Forest Rangers:	
1. Ranger	775.00
2. Two Wardens @ \$710.00 each	1,420.00
3. Towerman at Kelly Tower	385.00
Total, Item 12	\$ 34,760.66
Item 13. County Game Warden:	
A. Salary	\$ 2,460.00
B. Expenses	600.00
<i>Provided</i> , the County Game Warden shall keep the County Legislative Delegation informed of the status of fish and game resources in Union County.	
Total, Item 13	\$ 3,060.00

Item 14. To effectuate the registration of voters for the fiscal year 1959-60 and to be spent in the same manner as ordinary county funds	\$ 2,000.00
Total, Item 14	\$ 2,000.00
GRAND TOTAL	\$388,442.75

SECTION 2. The payment of the respective appropriations contained in each item of Section 1 hereof, except when otherwise expressly provided, shall not exceed one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of such item during any consecutive three months' quarter of the current fiscal year, 1959-1960, commencing July 1, 1959, and on the first day of each successive month thereafter, the last day of each third month being reckoned as the end of such quarter. The foregoing requirement of this section shall not be waived except by written unanimous consent of all members of the Union County Legislative Delegation, and any county official who overspends and disburses any money or monies in excess of one-fourth ($\frac{1}{4}$) or twenty-five per cent (25%) of the total annual appropriation of any item during any three (3) consecutive months' quarter of the current fiscal year, 1959-1960, as aforesaid, except when such requirement has been waived by written unanimous consent of all members of the Union County Legislative Delegation, shall thereby and thereupon forfeit the office and shall immediately vacate the office or be subject to immediate removal from office. The Union County Legislative Delegation may transfer funds from any item or items to any other item or items in the county appropriation act of the fiscal year, 1959-1960, by unanimous delegation order in writing.

SECTION 3. For the fiscal year beginning with July 1, 1959, and ending with June 30, 1960, the Auditor of Union County is hereby authorized and directed to levy, and the Treasurer of Union County to collect, as and when other county property taxes are levied and collected, upon all taxable property in Union County, a tax of such millage as will, when added to all other income or revenue received by the county for general purposes during such fiscal year, produce sufficient funds to meet the sums of money appropriated herein. *Provided*, that such millage so levied and collected shall not exceed the millage levied and collected for such purposes for the fiscal year beginning July 1, 1958, and ending June 30, 1959.

SECTION 4. The salary of no employee of Union County shall be increased or supplemented from any county funds above the amount appropriated for such employee in Section 1 hereof, except with the unanimous consent of the Union County Legislative Delegation.

SECTION 5. The County of Union shall assume the balance of the outstanding road bonds issued by the Bogansville Township.

SECTION 6. The Grand Jury of Union County shall appoint the auditor to audit the books of Union County, Wallace Thomson Hospital and Union County Schools. *Provided*, however, that the person or firm so appointed shall be certified public accountant, and *provided*, further, that the schools and the hospital shall bear the cost of their respective audits. Such auditor shall be paid after the completion of the work and the delivery of the audits. The original of the audits shall be filed with the clerk of court, who shall keep the same on file as public audits, and a copy thereof shall be furnished to each member of the legislative delegation.

SECTION 7. In all matters to be determined under this act by the Union County Delegation, no action shall be valid or binding unless concurred in by all members of the delegation.

SECTION 8. The supervisor and governing board of Union County shall be the sole purchasing agent for all supplies, equipment, machines, etc., used by any officer, agent or department of Union County, and all purchases in excess of one hundred dollars shall be made on a competitive bid basis after advertisement in the Union Daily Times for a period of ten days prior to such purchases; *provided*, that such advertisement shall be published twice during such ten day period. No vouchers or warrants for purchases made in violation of this section (except emergency purchases provided for in Section 14 hereof) shall be approved for payment by the supervisor and governing board or paid by the county treasurer. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 9. The Sheriff of Union County shall be the custodian of the courthouse and courthouse grounds and shall have supervision over the courthouse janitor.

SECTION 10. All fees and costs collected by any official of Union County shall be turned over to the Treasurer of Union County at least once each month. *Provided*, however, the magistrates shall be allowed to retain their respective costs and fees in all civil matters

as a part of their compensation; and the sheriff, as constable for the magistrate at Union County Courthouse, shall likewise be allowed to retain his costs and fees as a part of his compensation.

SECTION 11. The Supervisor of Union County shall appoint for a term beginning July 1, 1959, and ending June 30, 1960, a superintendent of the County Home and a Captain of the Union County Chain Gang. The Governing Body of Union County shall elect for a term beginning July 1, 1959, and ending June 30, 1960, a County Attorney, a County Physician, a County Mechanic, and eight (8) Chain Gang guards. The Commissioner from each of the respective Townships shall recommend the election of one (1) of said Chain Gang guards, and in the event any Commissioner or Commissioners shall fail or refuse to recommend the election of a Chain Gang guard or Chain Gang guards, as hereinbefore provided, within a period of four (4) weeks of a vacancy in such position or positions, then the Governing Body of Union County shall elect a Chain Gang guard or Chain Gang guards to fill such vacant position or positions. The Senator and the two members of the House of Representatives, as the Legislative Delegation of Union County, are authorized and empowered to declare a state of emergency concerning any work or affairs or employees of Union County by signing and filing an order with the county supervisor ordering work to be performed on county property, roads and facilities, and requiring work to be done to promote the industrial development of the county and the general welfare. The Union County Legislative Delegation may name a superintendent of surface-treated roads. The superintendent of surface-treated roads shall name two (2) convict camp guards from the county at large. One of the convict camp guards so appointed shall serve as day-yard-man at the Chain Gang Camp and the other convict camp guard shall assist with the surface-treating program under the superintendent of surface-treated roads.

SECTION 12. The superintendent of surface-treated roads shall requisition the supervisor, county bookkeeper, the governing body of Union County, and the captain of the chain gang for the equipment and materials and personnel necessary and required by the superintendent of surface-treated roads to construct, maintain, and repair the surface-treated roads of Union County, including bridges thereon, and driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and in the event of any dispute or conflict involving surface-treated roads, bridges thereon,

and driveways and church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used in the construction or maintenance or repair of same, arising between any of the officials or agencies of Union County, such dispute or conflict shall be unanimously resolved in writing by all members of the Union County Legislative Delegation, and such unanimous determination and decision by all members of the Union County Legislative Delegation, rendered in writing, shall be final and binding upon all officials and agencies of Union County concerned by the dispute or conflict involving surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County or the equipment, materials or personnel used in the construction or maintenance or repair of the same, or to be used for such purpose or purposes. Otherwise, the captain of the chain gang shall make all job and work assignments at the Union County chain gang, including both employees and prisoners, and, except as otherwise herein provided, shall be in direct and immediate control at all times. All instructions from the Union County Supervisor and the Governing Body of Union County concerning surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, or the equipment, materials or personnel used or to be used in the construction or maintenance or repair of same shall be transmitted directly to the superintendent of surface-treated roads and all other instructions from the Union County Supervisor or the Governing Body of Union County concerning matters other than matters and affairs related to surface-treated roads as aforesaid shall be transmitted directly to the captain of the Union County Chain Gang.

SECTION 13. The Supervisor of Union County shall have general supervision of, and be responsible for, all roads and bridges, the county chain gang and the County Home, subject, however, to the emergency powers conferred on the Legislative Delegation in Section 11 of this act. *Provided*, however, the superintendent of surface-treated roads shall be in immediate charge and control of all equipment, materials and personnel, used or to be used in the construction or maintenance or repair of surface-treated roads, bridges thereon, driveways, church yards and cemeteries, and all other surface-treated work and projects of Union County, and the captain of the chain gang shall be in immediate charge and control of all other persons employed at

the Union County Chain Gang, and such persons, with the exception of the superintendent of surface-treated roads, shall be subordinated to the chain gang captain, regardless of their titles or duties, and for sufficient cause the captain of the chain gang is hereby empowered to dismiss permanently or suspend any such employee or employees, except the superintendent of surface-treated roads, for a period of not more than thirty days for any one cause and on any one occasion. Such suspended or dismissed employee shall have the right to appeal to the County Governing Board and the County Supervisor, who shall jointly hold such hearings as may be deemed necessary to determine the facts and pass on the merits of such dismissal or suspension, and in their discretion may either sustain or reverse such dismissal or suspension; however, to override the action taken by the captain of the chain gang, it shall be necessary for no less than five board members and the County Supervisor to so vote. The superintendent of surface-treated roads shall be subject to suspension or dismissal by unanimous action in writing to be signed by all members of the Union County Legislative Delegation.

SECTION 14. The County Governing Board, by a majority vote of those present at a regular or special meeting thereof, shall have authority and is hereby required to order and direct the supervisor to provide for and cause to be done all proper and necessary repairs and maintenance work on roads and bridges, and may designate the roads or bridges to be repaired or maintained. It shall be the duty of the supervisor to carry out such orders and directions of the board as fully and completely as may be possible, and in the absence of any orders or directions from the governing board, whether this be caused by completion of all work ordered by the board, or by failure of the board to direct a schedule of such work, or for any other cause, then it shall be the duty of the supervisor to direct and cause to be performed the proper and necessary repairs and maintenance work on roads and bridges. In cases of emergency, arising from any cause, where a county road or bridge has become or is about to become hazardous, dangerous or impassable to traffic, the supervisor shall take immediate action on his own initiative, even if it be necessary temporarily to stop work that has been ordered or directed by the governing board, to meet and overcome such emergency, and he shall cause such work to be done so as to afford traffic reasonable and safe passage over such road or bridge. In order to carry out the orders and directions of the governing board, or to meet emergencies which may

arise, the supervisor shall convey instructions and orders for such repair and maintenance work to the captain of the chain gang and should the captain fail or refuse to carry out orders and directions submitted to him by the supervisor, then and in such event, the supervisor may suspend the captain of the chain gang until the next regular meeting of the County Governing Board and, after a proper hearing, the board may reinstate the captain immediately, or may suspend him for a definite or indefinite period, or may remove him permanently and elect another in his place and stead. *Provided*, further, that any county officer or employee who shall be suspended, removed or discharged as herein provided shall not be paid for any period during such time of suspension, and in case of removal or discharge, shall not receive pay from and after the date thereof.

The powers and authority enumerated and set forth in this section shall not nullify or diminish or be in derogation of the powers and authority heretofore enumerated and set forth in the preceding sections of this supply act concerning the superintendent of surface-treated roads.

SECTION 15. The county supervisor and the Union County Governing Board may authorize the clerk or bookkeeper to make purchases not exceeding one hundred dollars in cases of emergency. The clerk or bookkeeper shall give bond in the sum of one thousand dollars, conditioned for the faithful performance of his duties, the premium for such bond to be paid as the premiums for the bonds of other county officers are now paid.

SECTION 16. All purchases for all supplies, equipment, machines, etc., and goods or services for Union County shall be made upon a written order specifically designating whatever is to be purchased or paid for, signed by the county official or employee requesting same, and approved by the signature of the county supervisor or county bookkeeper endorsed on such order. No vouchers or warrants for purchases or payments made in violation of this section shall be approved for payment by the county supervisor or governing board or paid by the county treasurer. The county supervisor or the county bookkeeper shall have the power of inspection of all purchases and services rendered for Union County at all times. Any county official or employee who makes any purchase or contract for services other than as herein provided shall be subject to immediate removal from office. *Provided*, this section shall not apply to those items specifically exempted in Section 1 of this act.

SECTION 17. It shall be unlawful to sell or offer for sale any wine or beer in Union County between the hours of 12 o'clock Saturday night and sunrise Monday morning. Any person, firm or corporation violating this section shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not exceeding thirty days. The right of any person to sell wine and beer in Union County at any time, under a license issued by the State, shall be forfeited and the license revoked, upon conviction of violating the provisions of this section.

SECTION 18. Any circus, carnival, or other such admission-charging show or amusement that usually exhibits under a tent or outdoors may exhibit in Union County without payment of any license fee or charge. *Provided*, that such exhibition is made under the auspices or sponsorship of a local eleemosynary association or organization and pursuant to a contract requiring such association or organization to pay the license for such exhibition; and *provided*, further, that such exhibition is first approved by and the time and place set by the Executive Secretary and Treasurer of Union County Fair Association.

SECTION 19. No license shall be issued for the practice of fortune-telling and/or palm reading in Union County.

SECTION 20. The members of the press shall be allowed to attend any meetings where the expenditure of county money, including money allocated to the county from State funds, or from any other sources, is under consideration.

SECTION 21. The salaries and/or supplements to salaries specified in this appropriation act shall be paid every two weeks.

SECTION 22. All appropriations herein made are subject to the right and authority of the Union County Delegation to change, alter, increase, deduct therefrom, or transfer funds from one item and/or account to another, at any time, without notice, when in its judgment and discretion such change, alteration, transfer, increase or deduction is necessary to conform with revenue expected during the life of this act for the best interest of the county.

SECTION 23. This act is continuous and of continuous force and continuing into the future until changed by a repealing act of the General Assembly of the State of South Carolina.

SECTION 24. If any section, subsection, paragraph, sentence, phrase, clause, word or provision of this act shall be held uncon-

stitutional or invalid for any reason, the same shall not affect, impair or invalidate any of the remaining sections, subsections, paragraphs, sentences, phrases, clauses, words or provisions of this act.

SECTION 25. The supplemental appropriations for the fiscal year 1958-1959 made from the General Fund of Union County by Delegation Order are hereby validated.

SECTION 26. All acts or parts of acts inconsistent herewith are repealed.

SECTION 27. This act shall take effect upon approval by the Governor.

Approved the 18th day of May.

(R456, H1736)

No. 535

A Joint Resolution To Provide For A Tax Collector And Investigator, And For A Clerk As Assistant To The Tax Collector And Investigator In Union County; To Provide For Their Appointment And Removal; To Prescribe Their Terms Of Office, Duties And Compensation; To Provide For The Enforcement Of The Collection Of Delinquent Taxes In The County And The Payment Of The Costs Of Such Collection, And For Other Allied And Related Purposes In The Matter Of The Collection Of Delinquent Taxes And Payment Of The Costs Thereof In The County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Delinquent tax collector and tax investigator of Union County — appointment — duties — powers — bond — term.—There shall be appointed by the Governor, upon the recommendation of the Grand Jury of Union County, a discreet person, to be known as the Delinquent Tax Collector and Tax Investigator of Union County, who shall serve until July 1, 1960, from his qualification by this act unless sooner removed by the Governor upon the unanimous request of the Legislative Delegation, including the Senator.

The Tax Collector and Investigator of Union County shall be charged with the responsibility and duty to supervise and enforce the

collection of delinquent taxes in the county and he shall be vested with the power and authority necessary to enforce the collection of delinquent taxes in the county. Before assuming the duties of his office, the Delinquent Tax Collector and Tax Investigator of Union County shall give bond in the sum of twenty-five thousand dollars with a surety company licensed to do business in this State, conditioned for the faithful performance of his duties, the premium to be paid from the general funds of Union County. The term of the office of the collector shall begin on July 1, 1959, and shall terminate with this act on July 1, 1960.

SECTION 2. Assistant — appointment — term — duties — bond.—The Delinquent Tax Collector shall name and appoint a Clerk as Assistant to the Delinquent Tax Collector and Tax Investigator of Union County, whose term of office shall be coterminous with the term of office of the Delinquent Tax Collector and Tax Investigator and whose duties shall be prescribed by the Delinquent Tax Collector and Tax Investigator. The Clerk, as Assistant to the Delinquent Tax Collector and Tax Investigator, shall have equal responsibility with the Delinquent Tax Collector and Tax Investigator and he shall give bond in the sum of twenty-five thousand dollars with a surety company licensed to do business in this State, conditioned for the faithful performance of his duties, the premium to be paid from the general funds of Union County.

SECTION 3. Fees.—The Tax Collector shall levy and collect from each defaulting taxpayer, in addition to the taxes due, the following fees, to wit: for treasurer's warrant, one dollar; for executing such warrant, one dollar; for mileage at the rate of five cents per mile for each mile actually and necessarily traveled in connection therewith, not exceeding two round trips; and in no event shall any mileage be charged unless actually traveled; for preparing notice of sale, twenty-five cents; and the actual and necessary cost of publishing same; for making a sale and executing a deed of conveyance, three dollars; for all taxes and other sums levied and collected as aforesaid, five per cent thereof. The Tax Collector is prohibited from demanding, collecting or receiving any greater sums than are hereby allowed for the services mentioned and he shall not charge or receive any fees upon nulla bona returns. All taxes, fees, costs and charges whatsoever collected or received by the Tax Collector, as herein provided, shall be paid to the County Treasurer on or before the

fifth day of the month next succeeding that in which they were collected, accompanied by a written itemized report under oath showing from whom the funds were collected. Actual expenses incurred for advertisements of sales and other actual necessary expenses of the office, except as is herein otherwise provided, are to be paid by a warrant drawn on the Treasurer of Union County in the usual manner and according to the custom of expenses incurred by other officers of Union County. Such warrant shall be issued by the Supervisor of the county upon an itemized statement, under oath, in three counterparts, one of which shall be filed with the Treasurer at the time the warrant is presented to him, one of which shall be left with the county bookkeeper, and one of which shall be kept in the office of the Tax Collector.

SECTION 4. Issuance of executions—tax collector to have powers of sheriff in regard to executions—sheriff relieved of duties relative to delinquent taxes.—Immediately upon the expiration of the time allowed by law for the payment of taxes in any year, the Treasurer shall issue and deliver to the Tax Collector, in the name of the State, a warrant or execution in duplicate against each defaulting taxpayer in the manner and form prescribed by law, and the Tax Collector shall execute the same according to such statutes made and provided, and for that purpose shall have and is hereby given all the duties, powers and authority heretofore vested in the Sheriff of Union County for the purpose of collecting delinquent taxes and the sale and conveyance of property therefor, and the Sheriff of the county is hereby relieved of all such duties. Upon the Tax Collector, herein provided for, being appointed and qualified, the Sheriff shall forthwith turn over to such Tax Collector all executions, papers and records held by him relative to delinquent taxes.

SECTION 5. Collector to assist auditor and board of assessors.—It shall be the duty of the Tax Collector and his Clerk to cooperate with and assist the Auditor and Board of Assessors of the county in placing on the Auditor's books any and all persons liable for the payment of taxes and any and all property which they may discover.

SECTION 6. Reports and settlement.—The Tax Collector shall make a monthly report and settlement with the Treasurer, which report shall be in writing, under oath, and shall include a report upon all executions with respect to nonpayment, errors and duplications,

recommendations of nulla bona proceedings and other pertinent information acquired in the discharge of his duties that may be of value to the County Auditor and Treasurer in the performance of their duties with respect to the return, assessment, levy and collection of taxes, and he shall assist the County Auditor in listing upon the tax books all persons, firms or corporations who are escaping taxation, in whole or in part; and the report shall be in three counterparts, one of which shall be filed with the County Auditor, one with the Treasurer, and the other left in the office of the Tax Collector.

SECTION 7. Collection of taxes—nulla bonas.—Within twelve months after the receipt of an execution from the Treasurer, the Tax Collector shall collect the taxes therein mentioned, together with all authorized fees, costs, penalties and charges, by execution or otherwise, unless it be ascertained that such taxes are not collectible, in which event he shall submit written recommendations for nulla bona proceedings with his reasons therefor, to a committee composed of the County Auditor, the Sheriff and the County Treasurer, who shall serve as such committee without additional compensation and upon approval by this committee, the Tax Collector shall make a nulla bona return with the approved recommendation thereto attached.

SECTION 8. Salary of tax collector and clerk—office space—supplies.—The salary of the Tax Collector shall be three thousand six hundred dollars per year, plus not to exceed the sum of one thousand dollars for official expenses. For the efficient and expeditious handling and collection of tax executions placed in his hands, the Tax Collector may employ a clerk whose compensation shall be two thousand seven hundred and twenty-five dollars per year. The Tax Collector may use the room in the Union County Courthouse, now used by the County Auditor, jointly with the Auditor or any other convenient room in the Courthouse not now occupied by any other county officer, such room to be designated by the Custodian of the County Courthouse. The Governing Board of the county shall supply him with the necessary office equipment, supplies and stationery.

SECTION 9. Revenues from sale of delinquent property—redemption of such property.—The Tax Collector shall turn over to the Treasurer, in a separate fund, all amounts received by the Tax Collector for the sale of delinquent property and whenever any of such property is redeemed, within the period provided by law, the

Treasurer, upon receipt from the Tax Collector of the amount paid for such redemption, including the required interest, shall issue his warrant to the party in whose name the property was purchased for the amount received from the Tax Collector, together with the required interest.

SECTION 10. Penalties.—Any violations of the provisions of this act, by any person, subject to the provisions thereof, shall be deemed a malfeasance in office and sufficient ground for removal by the Governor; and upon conviction, of any person, subject to the provisions thereof, of any violation of any provision of this act, the offender shall be subject to a fine of not exceeding one thousand dollars or not exceeding one year's imprisonment, or both, in the discretion of the court.

SECTION 11. Saving clause.—If any part or portion of this act be unconstitutional, such shall not affect the validity of any other portion or part of the act.

SECTION 12. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 13. Time effective.—This act shall take effect on July 1, 1959, and shall expire July 1, 1960.

Approved the 18th day of May, 1959.

(R178, S155)

No. 536

An Act To Authorize And Direct The Treasurer Of Williamsburg County To Pay The Sum Of One Thousand Dollars From The General Fund Of The County To The Long Branch Drainage District.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Williamsburg County to transfer funds.—The Treasurer of Williamsburg County is authorized and directed to pay the sum of one thousand dollars from the general fund of the county to the Long Branch Drainage District in Williamsburg County. This sum is to assist in defraying the cost to the District for improvements of drainage made on Hebron High School property and certain roads in that area.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R288, H1469)

No. 537

An Act To Provide For The Levy Of Taxes For Williamsburg County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, And To Provide And Direct The Expenditure Thereof.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. There is hereby levied upon all of the taxable property of Williamsburg County a sufficient number of mills to be determined by the auditor from assessment of the property therein which, together with fines, forfeitures, gasoline tax, road tax, collected by various officers, and all income of the county, shall raise the amount herein appropriated. For County and school purposes for Williamsburg County for the fiscal year 1959-1960, there is appropriated the following:

Item 1.	Supervisor	\$ 5,250.00
	Supervisor's travel	1,200.00
	Clerk to Supervisor	3,150.00
	County Commissioners (5)—\$1,050.00 each ..	5,250.00
	Commissioners' travel—\$150.00 each	750.00
	Total, Item 1	\$ 15,600.00
Item 2.	Roads and Bridges	\$ 99,000.00
	Repairs to machinery	20,000.00
	Four trucks and four dump bodies	10,000.00
	Concrete pipe	12,500.00
	Lumber	5,000.00
	Creosote	1,000.00
	Food and clothing for chain gang	18,750.00
	Gas and Oil	18,750.00
	Total, Item 2	\$185,000.00

Provided, the County Supervisor and County Commissioners are hereby authorized and directed to spend not exceeding the sum of \$72,500.00 during the first quarter of the fiscal year 1959-1960, and the sum of \$37,500.00 during each of the remaining three quarters of the year 1959-1960, making the total sum of \$185,000.00.

Item 3.	Clerk of Court	\$ 5,250.00
	Two Deputy Clerks of Court	6,300.00
	Janitor for courthouse	1,575.00
	Total, Item 3	\$ 13,125.00
Item 4.	Sheriff	\$ 5,250.00
	Sheriff's travel	1,200.00
	Law Enforcement	500.00
	Four Deputy Sheriffs—\$3,150.00 each	12,600.00
	Deputies' travel—\$1,200.00 each	4,800.00
	One Deputy Sheriff and Clerk	2,835.00
	Jail Expenses (dieting prisoners at \$1.00 per day each, to be paid on monthly itemized statements as to number of prisoners)	6,000.00
	Liability Insurance, Sheriff's Department	450.00
	Total, Item 4	\$ 33,635.00
Item 5.	Auditor	\$ 2,100.00
	<i>Provided</i> , that the total salary paid the county auditor shall be \$5,250.00 and the county's portion shall be increased or decreased, as the state's portion is increased or decreased, so as to provide a total of \$5,250.00.	
	Clerk to Auditor	3,150.00
	Total, Item 5	\$ 5,250.00
Item 6.	Treasurer	\$ 2,100.00
	<i>Provided</i> , that the total salary paid the county treasurer shall be \$5,250.00, and the county's portion shall be increased or decreased, as the state's portion is increased or decreased, so as to provide a total of \$5,250.00.	

	Clerk to Treasurer	3,150.00
	Extra help for mailing tax notices	400.00
	Total, Item 6	\$ 5,650.00
Item 7.	Superintendent of Education—travel	\$ 600.00
	Total, Item 7	\$ 600.00
Item 8.	Probate Judge	\$ 3,780.00
	Part time clerk	1,000.00
	Total, Item 8	\$ 4,780.00
Item 9.	Clerk to Tax Collector	\$ 3,150.00
	Total, Item 9	\$ 3,150.00
Item 10.	Magistrate at Kingstree	\$ 2,160.00
	Magistrate at Hemingway	1,200.00
	Magistrate at Greeleyville	900.00
	Magistrate at Cades	600.00
	Magistrate at Central	600.00
	Magistrate at Morrisville	600.00
	Magistrate at Lane	600.00
	Magistrate at Earls	600.00
	Magistrate at Hebron	600.00
	Magistrate at Pergamos	600.00
	Magistrate at Nesmith	750.00
	Magistrate's Constable at Kingstree	2,100.00
	Magistrate's Constable at Hemingway	1,000.00
	Magistrate's Constable at Greeleyville	700.00
	Magistrate's Constable at Nesmith	400.00
	Magistrate's Constable at Cades, Morrisville, Lane, Earls, Hebron, Pergamos and Central..	2,100.00
	Total, Item 10	\$ 15,510.00
	To be paid at the rate of \$25.00 each per month on warrants drawn payable to constables.	
Item 11.	County Attorney	\$ 600.00
	Total, Item 11	\$ 600.00

Item 12. Coroner	\$ 950.00
Coroner's travel	250.00
Coroner's Clerk	450.00
Total, Item 12	<u>\$ 1,650.00</u>
Item 13. Miscellaneous Contingent Fund	\$ 4,400.00
Total, Item 13	<u>\$ 4,400.00</u>
Item 14. Police Insurance	\$ 4,500.00
Insurance—County Employees	3,500.00
Total, Item 14	<u>\$ 8,000.00</u>
Item 15. Bonds of County Officers	\$ 800.00
Total, Item 15	<u>\$ 800.00</u>
Item 16. Jurors and Witnesses	\$ 4,000.00
Total, Item 16	<u>\$ 4,000.00</u>
Item 17. Public Buildings, Water, Light, Fuel, etc.	\$ 16,500.00
Total, Item 17	<u>\$ 16,500.00</u>
Item 18. Printing, Postage, Stationery	\$ 5,000.00
Total, Item 18	<u>\$ 5,000.00</u>
Item 19. Vital Statistics	\$ 900.00
Post Mortems, Inquests, Lunacies	1,000.00
Total, Item 19	<u>\$ 1,900.00</u>
Item 20. Janitor service, Public Welfare	\$ 400.00
Miscellaneous—Administrative	100.00
Miscellaneous contingent expense—Public Wel-	
fare	980.00
Emergency Fund	300.00
Total, Item 20	<u>\$ 1,780.00</u>
Item 21. Poor House and Poor	\$ 500.00
Total, Item 21	<u>\$ 500.00</u>

Item 22. Board of Equalization	\$ 1,500.00
Total, Item 22	\$ 1,500.00
Item 23. County Health Unit	\$ 8,650.00
Hospitalization	10,000.00
<i>Provided</i> , that the sum appropriated for the hospitalization of indigent persons shall be expended only upon approved certificates by the Board of Public Welfare of Williamsburg County, and shall be expended on per diem basis to be fixed by the board; such basis shall include the cost of room, board, medicine and anesthetics, etc., and there shall not be expended on any one case a greater sum than seventy-five dollars. <i>Provided</i> , further, that the board may in extreme cases approve further expenditures but the county shall not be liable for additional sums unless authorization by the board is first secured. The appropriation made shall be for the fiscal year 1959-1960.	
Total, Item 23	\$ 18,650.00
Item 24. County Agent	\$ 600.00
Assistant County Agent	400.00
Stenographic service for County Agent and Telephone	450.00
Boys' 4-H Club	100.00
Total, Item 24	\$ 1,550.00
Item 25. County Home Demonstration Agent	\$ 175.00
Stenographic service for County Home Demonstration Agent	400.00
Office Supplies, Equipment and Telephone for Home Demonstration Agent	150.00
Girls' and Women's 4-H Club Work	150.00
Junior Homemakers Association	100.00
Total, Item 25	\$ 975.00

Item 26. Negro Home Demonstration Agent, Salary and	
Travel	\$ 900.00
Negro Boys' and Girls' 4-H Club Work	100.00
Office Rent	360.00
Negro Agr. Agent	350.00
Office Supplies for Negro Agr. Agent	150.00
Negro Girls' 4-H Club	100.00
Total, Item 26	\$ 1,960.00
Item 27. Kingstree National Guard	
Hemingway National Guard	\$ 750.00
Medical Expense	750.00
Retirement—County's Portion	2,000.00
Social Security—County's Portion	3,500.00
Carnegie Library	4,500.00
Office expense, Judge Third Circuit	300.00
Office expense, Judge Third Circuit	450.00
Total, Item 27	\$ 12,250.00
GRAND TOTAL	\$364,315.00
LESS ESTIMATED REVENUE AS FOL-	
LLOWS:	
Commutation Road Tax	\$ 11,000.00
Gasoline Tax	91,000.00
Fees Collected	17,000.00
Income Tax	45,000.00
Revenue Tax	50,000.00
Liquor Tax	30,000.00
Other Sources	12,000.00
Total, Estimated Revenue	\$256,000.00
Amount to be raised by taxation	\$108,315.00

SECTION 2. The county supervisor may, whenever he and the county board of commissioners deem it wise, hire a civil engineer from time to time when the services of one are needed, the civil engineer to be paid out of Miscellaneous Contingent Fund.

SECTION 3. The supervisor and county commissioners are hereby prohibited from issuing any pay checks to any of the magistrates

of Williamsburg County until such magistrates have filed with him statements of the names of persons for whom warrants have been issued during the previous quarter and the disposition of each case, and a receipt from the county treasurer for fines and costs collected by the magistrates during the previous quarter.

SECTION 4. The county attorney shall give legal advice to all county officers, including the Grand Jury, on any subject affecting the county and, should he fail to give such advice, the amount appropriated for his services shall not be paid to him by the county treasurer.

SECTION 5. All revenues accruing to the county not otherwise appropriated shall be deposited or invested by the treasurer as a sinking fund for the payment of principal and interest of the county bonded indebtedness and such investments or deposits shall be guaranteed by bond of indemnity or other adequate security to be passed on by the board of county commissioners.

SECTION 6. The appropriations made in this act shall be for the specific purposes designated herein, and for no other except upon the written consent of a majority of the members of the Williamsburg County Delegation in the General Assembly. No overdrafts shall be made or created in any of the items set forth in this act, and in the event any such overdrafts are created the County of Williamsburg shall not be responsible for such overdrafts and the same shall be void in so far as the county is concerned.

SECTION 7. The salaries paid to the county officers as hereinabove fixed shall be in lieu of all fees, commissions, etc.

SECTION 8. All county officers, before making purchases of books or stationery and all other supplies, shall so notify the county board of commissioners in writing and receive the commissioners' approval. Copies of such requests and their approval shall be kept on file in the respective offices. All supplies of every kind, nature and description whatsoever shall be made only upon competitive bids except purchases at one time which shall cost not more than five dollars. *Provided*, that the county board of commissioners shall not approve payment of any voucher for the purchase of any article of any kind by any agency or department unless such purchase has first been authorized by authority of the county board of commissioners.

SECTION 9. The road machinery, plows, equipment, etc., to be purchased by the County of Williamsburg, from funds herein appropriated, shall be bought upon competitive sealed bids after two weeks' advertisement for such bids in some newspaper best circulated to give notice to the trade, which also shall designate the time and place at which the bids will be opened, and the bids shall be publicly opened at the time and place designated in such advertisement.

SECTION 10. The supervisor and board of county commissioners, and the county treasurer, in any and all settlements made or to be made by them, shall charge off and take credit for the sum of forty-three thousand thirty-seven dollars and fifty-three cents (\$43,037.53) the same representing authorizations made during the fiscal year 1958-1959.

SECTION 11. All acts or parts of acts inconsistent herewith are repealed.

SECTION 12. This act shall take effect upon approval by the Governor.

Approved the 6th day of May, 1959.

(R355, S295)

No. 538

An Act To Validate All Disbursements, Expenditures And Actions Authorized By The Williamsburg County Legislative Delegation During The Fiscal Year 1958-1959.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Actions of Williamsburg County Legislative Delegation validated.—The disbursements, expenditures and actions authorized by the Williamsburg County Legislative Delegation during the fiscal year 1958-1959, in connection with the operation of the county departments and agencies thereof, are hereby validated and declared to be legal and binding acts of the officials of the county who acted in pursuance thereof.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R9, H1055)

No. 539

An Act Transferring The Sum Of Twenty-four Thousand Dollars From The General Fund Of York County To The York County Public Buildings Commission For The Purpose Of Constructing Certain Public Buildings In York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County—transfer of funds.—There is hereby transferred from the General Fund of York County to the York County Public Buildings Commission the sum of twenty-four thousand dollars for use in the construction of buildings as set forth in Act No. 1218 of the Acts of 1958. Any of such funds not required for the completion of such buildings shall be returned to the General Fund of York County.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 30th day of January, 1959.

(R74, H1130)

No. 540

An Act To Create A Historical Commission For York County.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Historical Commission for York County, created—members—terms—vacancies.—There is hereby created a Historical Commission for York County, to be composed of seven members to be appointed by the Governor on the recommendation of a majority of the York County Delegation, including the senator. The members of

the commission shall be appointed for terms of three years and until their successors are appointed and qualified. Vacancies shall be filled in the manner of the original appointment for the unexpired portion of the term. The commission, upon being appointed, shall meet and elect a chairman and secretary-treasurer.

SECTION 2. Powers and duties.—The commission shall select markers and appropriately mark and designate points and places of historical interest in York County, and shall be responsible for the upkeep of such historical sites. It shall receive and disburse funds, accept donations, and compile, print and sell historical pamphlets. The commission may cooperate with any agency, group or other county or counties which it may desire to cooperate with in order to carry out its duties. In addition, the commission shall advise the county legislative delegation on matters of historical interest in the county.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 21st day of February, 1959.

(R162, H1368)

No. 541

An Act To Empower The County Supervisor And The County Board Of Directors Of York County To Issue Not Exceeding One Million Dollars Of General Obligation Bonds Of York County To Provide Further Hospital Facilities In The County If The Election Herein Required Shall Result Favorably, To Prescribe The Conditions Under Which The Bonds Shall Be Issued And To Make Provision For Their Payment.

Whereas, an investigation of the needs of York County establishes that further hospital facilities are required, and in order to obtain the same the General Assembly has determined to empower the County Supervisor and the County Board of Directors of York County (herein collectively called "County Board") to issue not exceeding one million dollars of general obligation bonds of York County, or such portion of said sum as may be permitted under

applicable constitutional debt limitations, if the election herein required shall result favorably; Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. York County may issue bonds if election favorable.—If a majority of those voting in the special election required to be held by the provisions of this act shall vote in favor thereof, the county board as constituted by Act No. 851 of 1956 shall be empowered to issue not exceeding one million dollars of general obligation bonds of York County, or so much thereof as may be needed and may be permitted under constitutional debt limitations applicable to York County.

SECTION 2. Election—question.—To obtain an expression of approval or disapproval from the qualified electors of York County upon the question of issuing bonds to provide such additional hospital facilities, the county board is hereby empowered to fix a date for the holding of a special election in York County at which shall be submitted to all qualified electors of said county voting in said election the following question:

“Shall the County Supervisor and the County Board of Directors of York County be empowered to issue not exceeding one million dollars general obligation bonds of York County whose proceeds shall be expended to provide further hospital facilities for York County?”

YES ☐

NO ☐

The ballot employed in such election shall contain instructions which shall apprise those voting that if they wish York County to acquire new hospital facilities they should place a check or cross mark in the box opposite the word “Yes”, leaving unmarked the box appearing opposite the word “No”, and if they are opposed they should place a check or cross mark in the box opposite the word “No”, leaving unmarked the box appearing opposite the word “Yes”.

SECTION 3. Notice.—In the resolution of the county board adopted to fix the date of the election, such board shall likewise prescribe the form of notice to be published to give notice of the holding of the election. Such notice shall set forth the following information:

- (1) The date on which the election is to be held;
- (2) The location of the polling place for each precinct;

(3) The qualifications relating to voting;

(4) The form of question to be submitted.

Such notice shall be published in one or more newspapers published in York County not less frequently than once a week for three successive weeks prior to the date of the election.

SECTION 4. Conduct of election.—Following the adoption of the Resolution fixing the date for the holding of the election, advices thereof shall be transmitted to the Commissioners of Election for York County. The Commissioners of Election shall thereupon order the election, arrange for voting places for each precinct in York County and shall cause the appropriate number of ballots to be printed in accordance with the provisions of Section 23-347, Code of Laws of South Carolina, 1952, and except as provided by this act, such election shall be held in accordance with the South Carolina Election Law, codified as Title 23, Code of Laws of South Carolina, 1952, as amended.

SECTION 5. Results.—The Commissioners of Election shall receive the returns of the election, determine the result thereof, and in due course transmit the results to the county board.

SECTION 6. Further.—Upon being advised of the results of the election, the county board shall, by resolution duly adopted, declare the result thereof, and shall cause a certified copy of such resolution declaring such result, to be filed in the office of the Clerk of Court of York County. The result of such election shall not be open to question except by suit or proceeding instituted within thirty days from the filing of such certified copy of the resolution of the county board declaring the result of the same.

SECTION 7. Issue bonds if election favorable.—If the election shall result favorably but not otherwise, the county board shall be empowered to issue not exceeding one million dollars of general obligation bonds of York County, or so much thereof as may be necessary and permitted by constitutional debt limitations applicable to York County.

SECTION 8. Issue — maturity — redemption — interest.—The bonds may be issued either as a single issue or from time to time in several separate issues. Each issue of bonds shall mature serially in successive annual installments of such amounts as may be determined by the county board. The maturity date of the first installment

of any series shall be not later than two years after the date of such series, and the maturity date of the last installment of such series shall be not later than twenty-five years from date of such series. The bonds may contain a provision permitting their redemption prior to their stated maturity at such premiums as shall be prescribed by the county board. They shall bear such rates of interest as the county board may determine, payable semiannually, but the interest cost of any issue shall not exceed four per cent per annum. They shall bear such dates and be payable at such places as the county board may determine. The bonds may be issued with the privilege to the holder of having them registered as to principal on the books of the County Treasurer of York County, and the principal thus made payable to the registered holder, unless the last registered transfer shall have been to bearer, upon such conditions as the county board may prescribe.

SECTION 9. Execution.—The bonds shall be executed in such manner as the county board shall prescribe.

SECTION 10. Sale.—All bonds issued pursuant to this act shall be sold at not less than par and accrued interest to the date of their respective deliveries, at public sale, and at least ten days prior to any sale, notice, announcing the intention to receive bids for the sale of any bonds authorized by this act, shall be published in a financial newspaper published in the City of New York.

SECTION 11. Proceeds.—The proceeds derived from the sale of the bonds shall be deposited with the Treasurer of York County in a special fund, separate and distinct from all other funds, and shall be expended for the following purposes:

(1) The accrued interest, if any, shall be applied to meet the first installment of interest to become due on the bonds.

(2) The premium received, if any, shall be applied to the payment of the first installment of principal to become due.

(3) The principal proceeds shall be expended upon the order or warrant of the Board of Trustees of the York County Hospital as constituted by Act No. 919 of the Acts of 1938, as amended by Act No. 593 of the Acts of 1947 for:

(a) the cost of issuing the bonds; and

(b) providing additional public hospital facilities in York County and renovating and improving existing public hospital facilities.

If any moneys shall remain after making the foregoing applications, the same shall be applied to the retirement of bonds issued pursuant to this act. No purchaser or subsequent holder of any of the bonds shall be responsible for the proper application of said proceeds to the purposes for which such bonds are issued.

SECTION 12. Payment.—The full faith, credit and taxing power of York County shall be pledged for the payment of the bonds and interest, and the auditor and treasurer, respectively, shall levy and collect annually a tax upon all taxable property in the county, sufficient to pay such principal and interest as the same respectively mature.

SECTION 13. Exempt from taxes.—The principal and interest of all bonds issued pursuant to this act shall have the tax exempt status prescribed by Act No. 730 of the Acts of 1952.

SECTION 14. Gifts and grants.—Either or both of the County Board or the Board of Trustees of the York County Hospital shall be empowered to accept gifts or grants, which together with the proceeds of the bonds shall be applied to the purposes for which the bonds are issued.

SECTION 15. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 16. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of March, 1959.

(R179, S159)

No. 542

An Act Authorizing The Treasurer Of York County To Transfer Surplus Funds, Raised To Pay Off A Loan, To The General Fund Of York County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County to transfer funds.—Since the loan to the County Board of Directors of York County, authorized by Act No. 953 of the Acts of 1954, has been paid in full, the Treasurer of York County is authorized to transfer to the general fund of the

county any surplus funds now held by him which were raised by a tax levy to pay off this loan.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 1st day of April, 1959.

(R240, H1510)

No. 543

An Act Making Supplemental Appropriations For York County For The Fiscal Year 1958-59.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. The following supplemental appropriations are hereby made from the General Fund of York County for the purposes shown for the fiscal year 1958-59:

Maintenance of Prison Camp	\$ 5,000.00
Maintenance of county roads (reimbursement for special work done in the Bowater area and the Rock Hill Airport area)	4,461.20
Dieting prisoners	4,000.00
Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building	5,000.00
Emergency relief	500.00
Probate Judge's office—supplies and repairs	1,150.00
York County Artificial Breeding Association	797.94
Total	\$ 20,909.14

SECTION 2. All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. This act shall take effect upon approval by the Governor.

Approved the 20th day of April, 1959.

(R247, S232)

No. 544

An Act Authorizing The Auditor And Treasurer Of York County To Continue The Special One Mill Levy For The Purpose Of Retiring The Indebtedness Of The Board Of Trustees Of The York County Hospital.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Special one mill tax levy to be continued in York County—to be used to retire hospital debt.—The loan of the York County Sinking Fund Commission to the County Board of Directors of York County having been paid in full, the Auditor and Treasurer of York County are hereby authorized to continue the special levy heretofore used to retire this indebtedness and to apply the proceeds to retire the twenty-five thousand dollar note, executed by the Board of Trustees of the York County Hospital, to the York County Sinking Fund Commission. The levy shall continue in force until notes to the York County Sinking Fund Commission are paid in full.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R248, S233)

No. 545

An Act To Empower The Town Council Of The Town Of Fort Mill To Refund Immediately All Of Its Outstanding Sewer System Revenue Bonds As A Part Of An Issue Of Revenue Bonds Issued Pursuant To Chapter 5, Title 59, Code Of Laws Of South Carolina, 1952, As Amended.

Whereas, the Town of Fort Mill, in York County, has outstanding as of March 15, 1959, twenty-six thousand five hundred dollars of bonds payable from the revenues of its sewer system consisting of parts of four issues, dated March 1, 1934, November 1, 1938 and March 1, 1941, which mature annually within the next few years with the last bonds maturing on March 1, 1964; and

Whereas, additional sewer lines and sewage treatment facilities are urgently needed and it is contemplated that the same be provided with the proceeds of bonds payable from the revenues of the combined water and sewer system of the Town of Fort Mill; and

Whereas, if a provision could be made for the retirement of the outstanding bonds, the proposed issue of revenue bonds could be more easily marketed; and

Whereas, Chapter 5 of Title 59 of the Code of Laws of South Carolina, 1952, as amended, known as the "Revenue Bond Refinancing Act of 1937," if available, affords a vehicle by which the outstanding bonds might be refunded and additional funds raised for the needed improvements; and

Whereas, question has arisen as to whether such statute can be made use of, because of the fact that the last of the outstanding bonds does not mature until March 1, 1964; and

Whereas, the General Assembly is minded to make such statute available for this purpose. Now, therefore,

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Town of Fort Mill may issue bonds for retiring outstanding sewer bonds and for raising funds for sewer systems.

—The Town Council of the Town of Fort Mill is specifically empowered to make use of Chapter 5, Title 59, Code of Laws of South Carolina, 1952, as amended, as a vehicle for the issuance of bonds, payable from the revenues of the combined water and sewer system of the Town of Fort Mill to raise moneys to retire and pay all outstanding revenue bonds of the Town of Fort Mill payable from the revenues of said system or any part thereof, and to provide funds for further sewage treatment and disposal facilities.

SECTION 2. Payment of outstanding bonds.—So much of the proceeds of the bonds as may be issued to provide funds for the retirement of the outstanding bonds above referred to shall, upon the issuance of the bonds, be deposited with the paying agent of the outstanding bonds in a trust applicable solely to the payment of such bonds.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 29th day of April, 1959.

(R404, H1667)

No. 546**An Act To Provide For The Election Of One Member Of The Board Of Trustees Of Clover School District No. 2 Of York County From The Bethany Community To Fill The Unexpired Term Of The Late Al R. Eckels.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Election of members of board of trustees of Clover School District No. 2.—A special election shall be held on August 11, 1959, in Clover School District No. 2 of York County for the election of a member of the board of trustees of the school district from the Bethany Community to fill the unexpired term of the late Al R. Eckels. The election shall be held under the supervision of the Board of Education of York County which shall appoint box managers and other necessary officials who will receive the same compensation as allowed for similar officials in general elections, the expenses of which shall be paid from the funds of Clover School District No. 2 in York County. The election shall be advertised in a newspaper of general circulation in the county and a notice of the election shall be posted in three prominent locations within the area of the school district at least thirty days prior to the date of the election. All notices shall set forth the time of the election and its purpose, the voting places within the district, and the closing date for the entry of candidates in the election. Candidates shall be qualified electors residing in the Bethany Community but shall be voted on by the qualified electors from the school district at large.

SECTION 2. Results.—The board of education shall count the ballots and declare the results of the election.

SECTION 3. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 4. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 18th day of May, 1959.

(R495, H1809)

No. 547**An Act Transferring The Sum Of Three Thousand Dollars From The General Fund Of York County To The Contingent Fund Of The County.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. York County—transfer of funds.—There is hereby transferred from the General Fund of York County to the Contingent Fund of the county the sum of three thousand dollars. Any of such funds not expended during the fiscal year 1958-1959 shall be returned to the General Fund of the county.

SECTION 2. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R497, H1813)

No. 548**An Act To Authorize And Direct The Peoples National Bank Of Rock Hill, S. C., And The Rock Hill National Bank Of Rock Hill, S. C., To Transfer Certain Funds Held In The Names Of Certain Former County Officers To The Treasurer Of York County For Further Handling.**

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Peoples National Bank of Rock Hill to transfer funds to York County.—The Peoples National Bank of Rock Hill, S. C. is hereby authorized and directed to forthwith transfer to the Treasurer of York County the sum of three thousand three hundred twenty-one dollars and eighty-three cents now on deposit in such bank in the name of "B. R. Ross, Magistrate," the account having been maintained in the bank by B. R. Ross, Magistrate for Catawba and Ebenezer Townships in York County, who died in office during September 1954. Such funds have been held undisbursed in the account since that time.

SECTION 2. Rock Hill National Bank to transfer funds to York County.—The Rock Hill National Bank of Rock Hill, S. C. is hereby authorized and directed to forthwith transfer to the Treasurer of York County the sum of two hundred twenty-nine dollars and fifty cents now on deposit in such bank in the name of "York County Tax Collector," the account having been maintained in the bank by James W. Barron, Tax Collector for York County, who terminated his services as such during September 1954. The funds have been held undisbursed in the account since that time.

SECTION 3. Treasurer of York County to be responsible for funds.—The Treasurer of York County shall be fully responsible for further handling and proper disposition of such funds in accordance with the requirements of law.

SECTION 4. Repeal.—All acts or parts of acts inconsistent herewith are repealed.

SECTION 5. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

(R539, H1815)

No. 549

An Act To Provide For The Levy Of Taxes For York County For The Fiscal Year Beginning July 1, 1959, And Ending June 30, 1960, For School, County And Other Purposes; To Direct The Expenditure Thereof; To Prescribe The Powers, Duties And Authorities Of Various Officials Of The County; To Authorize And Direct The County Treasurer To Transfer Certain Funds; And To Authorize The York County Board Of Directors To Borrow And The York County Sinking Fund Commission To Lend Certain Money And To Provide For The Repayment Thereof.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. For the fiscal year beginning July 1, 1959, the following sums of money, if so much be necessary, are hereby appropriated from the General Fund in the Treasury of York County to meet the ordinary expenses of the county as hereinafter indicated:

Item 1. Supervisor and County Board of Directors:

Salaries:

Supervisor\$ 4,820.00

Clerk 2,800.00

Assistant Clerk 2,800.00

Provided, that the clerk and assistant clerk receive in addition to the above appropriations the sums of \$700.00 and \$500.00, respectively, from the Permanent Road and Bridge Fund.

Five directors, one hundred dollars each per month 6,000.00

Service and supplies 1,400.00

Total, Item 1\$ 17,820.00

Item 2. County Prison Farm:

Salaries:

Superintendent\$ 3,900.00

Six guards at two hundred dollars per month each 14,400.00

Provided, that board and lodging shall be furnished in addition to salaries above.

Maintenance of Prison Camp 40,000.00

Maintenance of county roads 70,000.00

Provided, that not more than one-half of above two appropriations shall be obligated or spent prior to January 1, 1960.

Nine patrol operators @ \$260.00 per month each 28,080.00

Supervisor—travel for actual mileage driven on county business @ 7¢ per mile, if so much be necessary 1,200.00

Transporting school lunch commodities 2,500.00

Provided, all county equipment shall be kept at the prison camp at night, on Sundays and holidays and at all other times when not in actual use on county work except when in the opinion of the Supervisor it is more feasible to leave same at job sites.*Provided*, further, that it shall be unlawful for any person not an inmate or any person not em-

ployed directly at the prison camp to eat any meals at or carry away any food from the York County Prison Camp, and it shall be the duty of the superintendent of the chain gang to enforce this provision. Any violation of this provision shall be a misdemeanor and punishable by a fine not exceeding one hundred dollars or imprisonment not exceeding thirty days.

Total, Item 2	\$160,080.00
Item 3. Sheriff's Office:	
Salaries:	
Sheriff	\$ 4,820.00
Deputy Sheriff	4,200.00
Clerk	2,800.00
Expense outside county	1,000.00
Gas, oil, upkeep auto and radio	1,500.00
Office supplies, phone, box rent	400.00
Telephone expense for highway patrolmen stationed in York County	400.00
Salaries, expenses and equipment for York County police operation	88,330.00

Provided, the Sheriff of York County is authorized and empowered to appoint and employ thirteen county policemen to serve under his direction and supervision, and each of the county policemen shall be paid a monthly salary as follows: new employee, first six months, \$275.00; new employee, after six months, \$300.00; new employee, after one year, \$325.00. In addition thereto the sheriff shall appoint and employ a lieutenant of the York County Police, who shall be second in command of the county police, and who shall be paid a monthly salary of \$400.00. The lieutenant shall have supervision and control of the county police and all personnel of the York County Police Department in the event of the absence or inability of the sheriff to act for any reason.

Provided, further, the Sheriff of York County shall appoint and employ one clerk to assist in the administrative and clerical work connected with the department and perform such other duties as may be assigned to him.

Total, Item 3		\$103,450.00	
Item 4.	County Jail:		
	Salary, Jailor	\$ 2,800.00	
	Dieting prisoners at one dollar per day	6,000.00	
	Maintenance and supplies	2,500.00	
	Repairs	700.00	
Total, Item 4		\$ 12,000.00	
Item 5.	Maintenance of Courthouse, Agriculture Building and Rock Hill Office Building	\$ 25,000.00	
<i>Provided</i> , no janitor or janitor's assistant shall be paid more than forty dollars per week.			
<i>Provided</i> , further, that prison labor shall be used where feasible during the daylight hours except Sundays.			
<i>Provided</i> , there may be one superintendent of the Rock Hill Office Building and at York there may be one superintendent of the Agriculture Building and York County Courthouse, at salaries not exceeding \$2,800.00 each, and one helper for each building.			
<i>Provided</i> , that the expenditures herein shall be under the supervision of the supervisor and the board of directors, or a majority thereof.			
Total, Item 5		\$ 25,000.00	
Item 6.	Clerk of Court's Office:		
	Salaries:		
	Clerk of Court	\$ 5,600.00	
	First Deputy Clerk	3,500.00	
	Second Deputy Clerk	3,300.00	
	Clerk	2,800.00	
	Clerk	2,800.00	
	Clerk	2,800.00	

Clerk	2,800.00
Services and supplies	6,000.00
Jurors, witnesses and bailiffs, and Court Crier	13,000.00

Provided, jurors shall receive eight dollars per day and mileage allowed by law; witnesses, two dollars per day and mileage; and bailiffs, eight dollars per day; and that no federal, State or municipal official or employee shall receive any compensation from the county for appearing as a witness in any court in York County.

Provided, that jurors reporting on opening day of General Sessions Court for the purpose of seeking relief from jury duty shall receive no mileage or per diem.

Total, Item 6\$ 42,600.00

Item 7. Auditor's Office:

Salaries:

Auditor	\$ 2,600.00
First Deputy Auditor	2,800.00

Provided, that the First Deputy Auditor shall receive, in addition to the above appropriation, the sum of \$180.00 from the Sinking Fund.

Second Deputy Auditor	2,800.00
Services and supplies	1,000.00
Equalization Board	2,000.00

Total, Item 7\$ 11,200.00

Item 8. Treasurer's Office:

Salaries:

Treasurer	\$ 2,600.00
Deputy Treasurer	2,800.00
Assistant Deputy Treasurer	2,800.00

Provided, that the Deputy Treasurer and Assistant Deputy Treasurer shall receive, in addition to the above appropriations, the additional sums of \$300.00 each from the Sinking Fund.

Clerk	2,800.00
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Revolving Fund	50.00
Services and supplies	1,350.00

Total, Item 8\$ 12,400.00

Provided, that all fees collected by the Treasurer by virtue of his office shall be turned in to the general fund of the county.

Item 9. Judge of Probate's Office:

Salaries:

Judge of Probate	\$ 4,820.00
Clerk	3,500.00
Clerk	3,300.00
Office supplies, premium on bond, stamps, box rent and telephone	1,300.00

Total, Item 9\$ 12,920.00

Item 10. Tax Collector's Office:

Salaries:

Tax Collector	\$ 2,800.00
Deputy Tax Collector	2,800.00
Clerk	2,800.00
Bond for Tax Collector, Deputy and Clerk	270.00
Stationery, services, supplies, box rent and postage	300.00

Total, Item 10\$ 8,970.00

Item 11. County Veterans' Service Office:

Service Officer	\$ 2,800.00
Clerk	2,800.00
Clerk	2,800.00
Expenses, Service Officer	2,750.00

Total, Item 11\$ 11,150.00

Item 12. Coroner's Office:

Salary, Coroner	\$ 1,500.00
Expenses of inquests, office supplies and services	600.00

Total, Item 12\$ 2,100.00

Item 13. Department of Public Welfare:

Emergency relief—including care of homeless children	\$ 2,500.00
Telephones	800.00
Assistant Clerk for purpose of investigating applicants for free school lunch	900.00
Supplement to County Board Members and Director	871.20
Mileage at seven cents per mile for two child welfare workers	840.00
Supplement for Case Work Supervisor	198.00

Total, Item 13

\$ 6,109.20

Item 14. Hospitalization:

For charity patients, Divine Savior Hospital ..	\$ 4,000.00
<i>Provided</i> , that all of this fund shall be used for charity cases in York County and that an itemized statement of the cost of each case shall be sent quarterly to the Board of County Directors.	
Post mortems, inquests, lunacies and dental work	850.00
County physician or physicians to be employed by the Supervisor and County Directors	1,000.00

Total, Item 14

\$ 5,850.00

Item 15. National Guard:

Rock Hill Companies	\$ 500.00
York Companies	400.00
Fort Mill Company	300.00
Clover Company	300.00

Total, Item 15

\$ 1,500.00

Item 16. Magistrates and Constables:

Magistrate, Bethel-Kings Mountain Townships ..	\$ 2,100.00
Telephone, Magistrate, Bethel-Kings Mountain Townships	125.00
Rent, Magistrate, Bethel-Kings Mountain Townships	180.00
Magistrate, Bullock Creek-Broad River Townships	1,300.00

Office rent, Bullock Creek-Broad River Townships	120.00
Telephone, Magistrate, Bullock Creek-Broad River Townships	80.00
Magistrate, York-Bethesda Townships	2,100.00
Telephone, Magistrate, York-Bethesda Townships	125.00
Office rent, York-Bethesda Townships	180.00
Magistrate, Catawba-Ebenezer Townships	2,600.00
Constable, Catawba-Ebenezer Townships	2,600.00
Clerk, Catawba-Ebenezer Townships	2,800.00
Telephone, office expenses, Magistrate, Catawba-Ebenezer Townships	1,100.00
Magistrate, Fort Mill Township	2,100.00
Constable, Fort Mill Township	900.00
Telephone, Magistrate, Fort Mill Township	125.00
Office rent, Fort Mill Township	180.00
<i>Provided</i> , salaries above shall be paid in twelve equal monthly installments.	
<i>Provided</i> , that the magistrates' reports required by law shall be made under oath.	
Dieting prisoners in custody of magistrates other than in county jail not to exceed fifty cents per meal for each person	1,000.00
Bond for magistrates and constables	125.00

Total, Item 16\$ 19,840.00

Item 17. Farm and Youth Work:

Demonstration material for Home Demonstration Agent and assistant	\$ 75.00
Boys' and Girls' 4-H work	200.00
York County Artificial Breeding Association ..	3,000.00
County Farm Agent	300.00
Telephone, Home Agent	150.00
Negro Home Demonstration Agent	740.00
Clerical help, Negro Farm and Home Agent ..	1,200.00
Demonstration material, Negro Home Demonstration Agent	50.00

Negro 4-H work	100.00
Telephone	100.00
Total, Item 17	\$ 5,915.00
Item 18. General County Expenses:	
Annual county audit	\$ 2,500.00
County Attorney	3,000.00
County Attorney, expense	200.00
Secretary to Delegation @ \$30.00 per month ..	360.00
Vital Statistics	850.00
Workmen's compensation for county employees ..	2,000.00
Postage and metering machine	3,000.00
Fishing Creek watershed project	1,000.00
Total, Item 18	\$ 12,910.00
Item 19. County Home:	
Superintendent	\$ 2,000.00
Assistant Superintendent	1,850.00
Operation County Home	15,500.00
Total, Item 19	\$ 19,350.00
Item 20. Retirement Fund and Social Security for coun-	
ty employees	\$ 19,000.00
York County Teacher Retirement Fund	1,141.56
Total, Item 20	\$ 20,141.56
Item 21. Rural Fire Commission, maintenance	\$ 5,500.00
Total, Item 21	\$ 5,500.00
Item 22. Board of Health	\$ 17,000.00
Total, Item 22	\$ 17,000.00
Item 23. Probation Officer:	
Secretarial help	\$ 1,600.00
Telephone	120.00
Office supplies	50.00
Total, Item 23	\$ 1,770.00

Item 24. Contingent Fund\$ 25,000.00

Provided, the money above appropriated shall be used only for such purposes as authorized by a majority of the legislative delegation at a regularly called meeting.

Provided, further, that the authorizations shall be numbered consecutively and kept on file in the office of the supervisor, or such offices as a majority of the legislative delegation may direct, and the orders or authorizations shall require ratification at the next ensuing session of the General Assembly.

Total, Item 24\$ 25,000.00

GRAND TOTAL\$560,575.76

Provided, the amount herein provided for salary of the sheriff, treasurer and clerk of court shall be in lieu of all fees, and the amounts herein provided shall be the salaries of such officers for all their services for the fiscal year beginning July 1, 1959.

For the purpose of meeting the appropriations herein made, the following receipts of York County are hereby allocated for such purposes, together with all other income not specifically allocated to other purposes.

It is estimated that the following special revenue will accrue to the county during the fiscal year 1959-1960:

Insurance Commission Fees	\$ 42,000.00
Fines, Fees & Licenses	150,000.00
Beer & Wine Tax	16,000.00
Whiskey Tax	55,000.00
Bank Tax	8,000.00
Service Officer	5,700.00
Income Tax	80,000.00
Delinquent Taxes	61,875.76

Total\$418,575.76

Estimated amount to be otherwise provided\$142,000.00

To further meet the appropriations contained herein the auditor is authorized and directed to levy a tax of five and one-half mills upon the property of York County and the treasurer is directed to collect the same, and to credit the proceeds to the several purposes for which appropriations are herein made.

SECTION 2. A record of sales and dispositions of all products and property of the County Home shall be kept by the Superintendent of the Home and filed annually with the supervisor's office. The purchase of gasoline, oil and food for the use of the Prison Farm or at the County Home shall be made in wholesale quantities.

SECTION 3. In the Township of York, a special levy of one-half mill is hereby made, the proceeds therefrom to be paid by the Treasurer of York County to the York Public Library, and the Auditor of York County is hereby directed to levy and the Treasurer of York County is directed to collect all taxes levied.

SECTION 4. The appropriations herein provided shall not in any case be exceeded, and any contracts which may be made which in any manner provide for the expenditure of funds in excess of those provided herein shall not be binding upon York County, and it is specifically provided that any person selling supplies or other commodities or rendering service to the county is charged with the duty of ascertaining in advance whether or not the appropriations for that purpose are sufficient to pay for the same; *provided*, that no revenue, to be derived from any levy or appropriation made herein, shall be expended or pledged prior to the beginning of the fiscal year 1959-1960. Any official violating the provisions of this section shall be liable upon his bond.

SECTION 5. No money appropriated for any specific purpose under the provisions of this act shall be used, for any other purpose than that named, without the written consent of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 6. Any amount appropriated in this act may be discontinued at any time by order of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

SECTION 7. In lieu of all countywide taxes now levied for school purposes, except those taxes levied for free textbooks and hot lunches,

the auditor shall levy a tax of twenty mills to be used for the following purposes and distributed in the following manner: the proceeds from ten mills shall be distributed to all school districts in proportion to the ratio which each school district State aid for school teachers' salaries bears to the total school teachers' State aid for salaries in the county; the proceeds from ten mills shall be distributed to each high school or high school district in proportion to the ratio each high school or high school district's enrollment bears to the high school enrollment in the county.

Provided, however, that enrollment in parochial schools or State owned and operated schools shall not be counted and shall not be allowed the use of any of the proceeds of the tax imposed in this section.

Provided, further, that no school district shall impose a levy of more than ten mills on the property within the district, except to provide for the payment of interest on and retirement of bonded indebtedness, except upon the written approval of a majority of the York County Legislative Delegation obtained at a regularly called meeting.

Provided, further, that the appropriations contained in this section shall be paid from the countywide tax for ordinary school purposes:

Salary, Clerk	\$ 2,800.00
Salary, Librarian for school books	2,900.00
Travel for visiting teacher, actual mileage driven on county business @ 7¢ per mile, if so much be necessary	450.00
Telephone, stamps, box rent and office supplies	400.00
For handling school lunch commodities	500.00
Expenses, Board of Education	720.00
York County Rural Library	4,000.00
Supplement, Superintendent of Education's Salary	870.00
Superintendent of Education, travel for actual mileage driven on county business at seven cents per mile, if so much be necessary	400.00
Total	\$ 13,040.00

The appropriations above made shall be in lieu
of all shares in delinquent taxes collected.

SECTION 8. The county supervisor and the county board of directors, or a majority thereof, are hereby empowered to borrow in anticipation of the revenue hereinabove provided any sum not exceeding the amount appropriated and to not only pledge the revenue hereinabove provided but to pledge the full faith and credit of York County for the repayment of the same. The money shall be borrowed from the York County Sinking Fund Commission at a rate of interest not exceeding three per cent and shall be payable at such time and in such sums as is convenient to the county board of directors and the Sinking Fund Commission, and the Sinking Fund Commission is hereby directed to make such loans. *Provided*, that the supervisor and county board of directors first obtain the written approval of such loan by a majority of the county legislative delegation at a regularly called meeting of the delegation.

SECTION 9. All county offices in York County Courthouse shall observe as holidays: Christmas Day; the working day immediately preceding Christmas Day; and the working day immediately following Christmas Day; New Year's Day; Labor Day; Thanksgiving Day; and July Fourth.

SECTION 10. All orders heretofore made by the legislative delegation, reported to and certified by the clerk of the board of directors, arranged chronologically by date and numbered consecutively in such manner as to fully indicate to the delegation what orders were issued and authorized previously by the delegation, are hereby ratified and confirmed, and the appropriations therein contained are approved.

SECTION 11. The York County Board of Directors and the supervisor, or a majority thereof, may in their discretion approve salaries and deductions pertaining thereto, as provided by law, of county employees by a list or lists rather than separately.

SECTION 12. No tax abatement shall apply to levies necessary to pay debt service of county bonds.

SECTION 13. Any employee or officeholder violating any provision in this supply act shall forfeit his or her position of employment or the office they hold.

SECTION 14. Any equipment belonging to York County and now designated "Road Construction Equipment" may be used for road maintenance when not being used for road construction; *provided*,

that when the equipment is so used all labor, fuel and minor repair costs shall be paid from "Maintenance Funds."

SECTION 15. The York County Attorney shall represent all agencies, boards, officials and subdivisions in York County, except municipalities, school districts and the York County Natural Gas Authority; *provided*, all such subdivisions, agencies or county officials are hereby specifically prohibited from expending any funds for the employment of any other attorney or attorneys.

SECTION 16. An audit shall be made annually, with a copy to be furnished to each member of the York County Legislative Delegation, and a copy to be filed with the Clerk of Court of York County, of all agencies, boards, bureaus, commissions and school districts of York County, where their activities are not covered by the annual York County audit.

SECTION 17. The County Auditor shall cause to be prepared a statement showing what the proceeds of all taxes levied in York County are to be used for. A sufficient number shall be printed and furnished to the Treasurer of York County who is hereby directed to place one in each tax notice mailed out by the Treasurer's office.

SECTION 18. The tax collector may call on the sheriff or any deputy sheriff of the county, and any constable in the county, to render him such aid and assistance as may be necessary, which shall be rendered without other costs than those provided by law, in the ejectment of any occupant or tenant in possession of any property at any time when ejectment shall be lawful and proper in the discharge of his duty as such officer.

SECTION 19. No tort claim against York County shall be paid by the board of directors or the supervisor except on written approval of the county attorney.

SECTION 20. All acts or parts of acts inconsistent herewith are repealed.

SECTION 21. This act shall take effect upon approval by the Governor.

Approved the 28th day of May, 1959.

RULES AND REGULATIONS

Adopted Under General and Permanent Laws of The State of South Carolina

FILED IN THE OFFICE OF THE SECRETARY OF STATE AS OF
JUNE 30, 1959

Published Pursuant to Section 1-16, Code of Laws of
South Carolina, 1952

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RULES AND REGULATIONS**AGRICULTURE COMMISSIONER**

Promulgated under authority of Section 69-104, Code of Laws of
South Carolina, 1952

Warehouse Division

(Filed in the office of the Secretary of State August 30, 1958)

Rule 6 as now printed on Page 462, Volume 7, 1952 Code, is amended to read as follows:

6. "Commodity" means cotton, crates, cartons and canning supplies, and alcoholic liquors as defined by the S. C. Tax Commission and non-perishable farm products as defined by definition No. 5, or which may hereafter be included in the said definition.

(Filed in the office of the Secretary of State February 19, 1959)

All rules and regulations relating to the operation of the Warehouse Division or Warehouse System are hereby repealed and the following are promulgated:

1. DEFINITIONS:

(a) "Commissioner" means the South Carolina Commissioner of Agriculture.

(b) "Inspector" means the field representative duly appointed by the Commissioner and bonded for faithful performance of duty.

(c) "Manager" means the person appointed by the Commissioner to operate a warehouse unit.

(d) "Owner" shall mean the individual, partnership or corporation which made application to place warehouse in the State System.

(e) "Warehouse" means an individual unit in the System.

(f) "Non-perishable farm product" means any seed, grain, or other product of agricultural endeavor which by its nature and low moisture content may be stored in a conventional type warehouse for a period of at least twelve months without deteriorating, nor having been manufactured or processed in any way other than harvesting, thrashing, shelling, ginning, curing, drying and bagging, provided that this definition shall not apply to farm products processed by South Carolina canneries when same are offered for deposit by the grower or processor. Provided, further, that this definition shall not apply to livestock and poultry feeds when same comply with the South Carolina commercial feedstuff law, are properly bagged, tagged, and stacked and offered for deposit by the manufacturer.

This definition makes ineligible for storage in any State Warehouse, such items as poultry, beef, pork, fish, shrimp, crab, oysters and products

of the above mentioned items, regardless of whether the same is fresh, canned or frozen.

This definition also makes ineligible for storage in any State Warehouse any feedstuff ingredients other than those which strictly conform to the definition.

(g) "Commodity" means:

(1) Cotton.

(2) "Non-perishable farm product" as defined by definition (f) or which may hereafter be included in this special definition.

(3) Farm products processed by South Carolina canneries when same are offered for deposit by the grower or processor.

(4) Livestock and poultry feeds as defined by definition (f).

(5) Alcoholic liquors as defined by the South Carolina State Tax Commission.

INSPECTORS:

2. Districts arranged according to density of warehouses rather than by geographical lines shall be assigned to an adequate number of inspectors for the proper inspection of said warehouses and the commodities stored therein.

3. Each inspector shall make a thorough study of the statutes, rules and regulations relating to the administration of State Warehouses. He shall also acquaint himself with the duties and responsibilities imposed on him by law.

4. Each inspector shall inspect the warehouses in his district as often as he thinks necessary, but he shall inspect every warehouse at least once every three months. He shall promptly render a detailed written report of inspections, inventories and physical condition of same to the Director of the Warehouse Division who shall analyze it and report any discrepancies to the Commissioner. The Director shall keep a record of the inspection dates of each warehouse which shall be available to the Commissioner at any time.

5. When an inspector has reason to believe that the moisture content of grain on storage is too high for safe keeping, he shall take a sample of same and submit it to the Department of Agriculture laboratory for analysis and opinion. If in the opinion of the said laboratory, the moisture of said grain is too high for safe keeping, the inspector shall advise the manager of said warehouse to recall the receipts issued therefor and send them to the office of the Commissioner for cancellation.

6. When an inspector has reason to believe that grain classified as seed does not come up to the standard required for such seed, he shall take a sample of same and submit it to the Department of Agriculture laboratory for analysis and opinion. If, in the opinion of the said laboratory, the sample is below the standard for seed, the inspector shall advise the manager of said warehouse to recall the receipts issued therefor and send them to the office of the Commissioner for cancellation.

7. When an application for license to operate a warehouse in the State System is received, it shall be referred to the appropriate inspector who shall, after investigation make a positive YES or NO recommendation to Commissioner in writing. He shall check then and regularly thereafter with local banks and other sources for information concerning the integrity, business experience and financial responsibility of the manager and owner. He shall constantly be alert to infractions by managers and immediately report in writing any violations to the Commissioner.

8. No person shall be commissioned as the manager of any warehouse, until he shall have given bond prescribed by the Commissioner and shall have paid the required fee, which shall always be for at least one year in advance.

9. No manager or agent shall receive for storage in any warehouse any commodity upon which any mortgage or lien exists unless the owner and holder of said mortgage or lien shall agree to the same in writing, or shall release the same from the effect of lien or mortgage for the purpose of storage; in such case the receipt for the commodity so stored shall be transferred in writing thereon to the owner and holder of the lien or mortgage by the owner of the commodity in the presence of manager or agent who shall sign such transfer as a witness before the delivery of said receipt.

10. It shall be the duty of every manager appointed by the Commissioner to tag or properly mark every commodity stored in the warehouse he represents, so that the same can be easily identified. He shall see to it that same is properly weighed and graded. He shall fill out all the necessary receipts and enter same upon the books furnished him for this purpose. He shall forward a copy of same to the Commissioner by depositing same in his post office on the day the transaction is made. He shall furnish such other certificates and proofs as to weighing and grading as the Commissioner shall require.

11. The manager and owner of the warehouse must file their financial statements annually with the Commissioner. The statement must be filed on or before the first day of each year.

12. In case of fire the manager must immediately notify the Commissioner.

13. If authorized by agreement or custom, a manager may mingle fungible commodities with other commodities of the same kind and grade. In such case the various depositors of the mingled commodities shall own the entire mass in common and each depositor shall be entitled to such portion thereof as the amount deposited by him bears to the whole. The manager shall be severally liable to each depositor for the care and delivery of his share of such mass to the same extent and under the same circumstances as if the commodities had been kept separate.

14. Commodities must be stored in such manner as will permit rapid and accurate count. Commodities in bags shall be clearly identified and of equal weight. Cartons shall be of uniform content quantity. Commodities in bulk shall be stored in bins of convenient size for measuring and

calculation of quantity. No commodity shall be left lying in or around any warehouse in a promiscuous and careless manner.

15. No person shall be allowed to loiter around any warehouse and as far as possible the manager shall prevent matches or fire lighting devices from being carried on the premises; and no fireworks of any kind shall be allowed about the warehouse, nor shall any intoxicated person be permitted on the grounds.

16. All bills presented by the Commissioner shall be paid monthly. The bond of the manager and a lien against the goods on storage shall be responsible for the charges dating from the issuance of the receipt.

17. No manager of any warehouse shall make partial delivery of commodities listed on a warehouse receipt.

18. The manager appointed to represent the Commissioner at any warehouse storing cotton shall adopt the United States Government Standard of grades and staple to govern the grade and staple entered on each receipt and he shall be responsible for same; provided the grade and staple may be omitted from the receipt at the request of the depositor.

19. It shall be the duty of the manager of every warehouse to look carefully after the physical condition of the house in which commodities evidenced by state receipts are stored so that none of the commodities will become damaged (by leaky roofs, by overflow of water or by excessive moisture, etc.). All managers will be held responsible for the condition, weight and grade of the commodity while in their charge and for delivery of same upon presentation of receipts. Provided, the weights shall not be guaranteed against fluctuations arising from climatic conditions and the grades are subject to such changes as are effected by the nature of such product during the lapse of time.

20. No manager shall allow a warehouse to remain open or doors unlocked except when receiving or delivering commodities from the warehouse and no person or persons shall have access to a warehouse except when accompanied by the manager.

WAREHOUSES:

21. No building shall be operated as a State Warehouse except upon a survey duly filled out by the person in charge of the same, showing the location, nearest post office, the County and State, and giving the construction, size, approximate capacity, together with any exposures and the nature of same.

22. No warehouse shall be operated as a State Warehouse until the same shall have been leased to the Commissioner in writing by the owner thereof, for a term of at least one year and for such further length of time as it shall be operated as a state warehouse. And the lease for same shall carry with it the right of the owner to such approaches as may be necessary for the operation of same as a warehouse both for ingress and egress. The lease will be recorded in the county in which the warehouse is located and the warehouse shall pay the recording charge.

23. Every warehouseman shall file with the Commissioner a tariff of his charges to be made by the warehouse and the said tariff must be filed on or before September 1 of each year. Any revision in the tariff must be filed with the Commissioner.

24. Each warehouseman operating under these regulations and storing commodities for the public is required to have notice posted on the outside door of the warehouse showing the telephone number and address of the warehouseman when he is not in the warehouse. If the manager is out of town, then some responsible person should be designated to transact business in his absence with notice thereof.

25. Each warehouse must be equipped or have access to suitable scales approved by the Commissioner. The scales shall be inspected by the department.

26. Cotton received direct from the gin shall be segregated from other cotton and kept outside the warehouse for at least forty-eight hours.

27. No warehouse shall be operated as a state warehouse except by the Commissioner or his duly appointed and commissioned manager; and no person shall be appointed manager except upon written application for appointment and bond; said person must in addition furnish at least one indemnitor.

28. Barrels of water and buckets for fire protection shall be carefully maintained. Sufficient "no smoking" signs shall be displayed and the premises generally shall be kept clean and free of trash and combustible matter so that the building and commodity stored therein shall be protected from outside fire.

29. No commodity shall be moved from one warehouse to another without permission of the Commissioner.

RECEIPTS:

30. All receipts for commodities stored in a state warehouse shall be made out with pen and ink or indelible pencil and shall be signed by the local manager with pen and ink, indelible pencil or with a mechanical device approved by the Commissioner. Same shall be forwarded to the Commissioner for investigation, approval and issuance.

31. All receipts together with copies forwarded to the Commissioner for investigation and issuance shall be accompanied in the same package or envelope by a daily report of the identical commodity covered by the receipts with a full description of same, and the totals fully carried out, and with the date and signature of the manager.

32. No commodity shall be delivered from any warehouse until the receipt covering the same shall be presented to the manager of the warehouse and until all charges against the same shall have been paid and all receipts for commodities so delivered shall at once be forwarded by the manager to the Commissioner for cancellation, same being marked for such purpose. Provided, that in case of fire, salvage from said commodity may be released to representatives of authorized salvage companies representing the insurance company or Commodity Credit Corporation.

33. Commodities which are attractive to rats and insects shall have written or stamped on the receipt issued therefor the following: "Not responsible for rattage or insect damage". Commodities which are classified as seed shall have written or stamped on the receipt issued therefor the following: "Germination and purity not guaranteed". Provided, that this regulation shall not apply to receipts issued for commodities stored in elevators or warehouses approved as depositories for commodities eligible for United States Government loans.

34. All commodities, except cotton, for which a receipt is issued must be called for within one year, all charges paid and the receipt cancelled. However, the manager may, in his discretion, accept for re-deposit the same commodities, issuing a new receipt for same.

(Filed in the office of the Secretary of State May 21, 1959)

The above regulations, filed February 19, 1959, are amended to read as follows:

1. DEFINITIONS:

(g) "Commodity" means:

(6) Crates, cartons and canning supplies.

Rice Enrichment

Promulgated under authority of Act No. 653 of 1956

(Filed in the office of the Secretary of State November 20, 1958)

The following change in regulations is promulgated:

Delete Regulation 3, filed March 19, 1956, and substitute the following:

Regulation 3. Labeling.

(a) All containers such as cloth, paper, or cellophane bags, cartons or boxes, and other containers for enriched rice must be labeled in accordance with the appropriate Federal Agency's regulations for foods for special dietary uses so as to carry information as to the minimum daily requirements of required ingredients for adults.

In addition, the label statement, "To retain vitamins do not rinse before or drain after cooking" shall appear immediately preceding or following the name of the food and in letters not less than one-fourth the point size of type used for printing the name of the food (but in no case less than 8-point type). The label shall bear no cooking directions calling for washing or draining.

(1) "Bulk rice" shall be conspicuously labeled "Do not drain after cooking" even though the product meets the specified rinse test.

(2) Precooked rice, packaged in consumer packages which are conspicuously and prominently labeled with directions for preparation which, if followed, will avoid washing away or draining off enriching ingredients, shall not be required to bear this statement.

Specimen wording of the label submitted below contains the above information, and either these, or similar ones, are acceptable:

ENRICHED RICE

To retain vitamins do not rinse before or drain after cooking.

Four ounces of enriched rice supply not less than the following proportions of the adult minimum daily requirements for these essential food substances: Thiamine 50%; Niacin 40%; and Iron 33%.

Optional ingredients calcium and riboflavin are not required, but if either or both are used, the label must contain either or both statements as in the sample below:

"Four ounces of enriched rice supply not less than the following proportions of the adult minimum daily requirements for these essential food substances: Thiamine 50%; Riboflavin 25%; Niacin 40%; Iron 33%; and Calcium 33%.

(b) The use of the optional ingredient Riboflavin in any method of enrichment which will produce obvious yellow spots in rice cooked by the customary steamer absorption method is not permitted.

(c) While there is no objection whatsoever to printing recipes on the package, none shall render meaningless other required labeling by use of an excess of water, draining, or rinsing.

(d) Auxiliary shipping containers enclosing packages which individually conform to the requirements of this Act are exempted from labeling requirements in these regulations.

Seeds

Promulgated under authority of Section 3-402, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State January 29, 1959)

Regulation No. 1 relating to the standard for agricultural seeds is amended to read as follows:

1. Standard for Agricultural Seeds.

All agricultural seeds except crotalaria, Dallis grass, Centipede grass and Pensacola Bahia grass shall have a standard germination of 75%. Agricultural seeds showing a germination less than 75% and above 49% shall be marked "Below Standard in Germination", and agricultural seeds showing less than 50% germination cannot be sold for planting purposes in South Carolina. Hard seed of legumes may be included in the percentage of these standards.

Exception.

(a) The Germination standard for crotalaria shall be 65%. Crotalaria showing less than 65% and above 39% in germination must be labeled "Below Standard in Germination". Crotalaria showing less than 40% germination cannot be sold in South Carolina. Hard seed of crotalaria may be included in the percentage of these standards.

(b) The germination standard for Dallis grass, Centipede grass and Pensacola Bahia grass shall be 60%. Dallis grass, centipede grass and Pensacola Bahia grass showing less than 60% and above 39% in germination must be labeled "Below Standard in Germination". Dallis grass, centipede grass and Pensacola Bahia grass showing less than 40% germination cannot be sold in South Carolina.

Also, Regulation No. 2 is hereby amended by adding to the list of noxious weeds: witch-weed (*Striga Asiatica*), Perennial Sweet-type Sudangrass, Sorghum Almum and Sorgrass so that when amended Regulation 2 shall read as follows:

2. Noxious Weeds.

Noxious weeds shall be seeds or bulbs of the following:

	Single Limitations
Bindweed, Field (<i>Convolvulus Arvensis</i>)	Prohibited
Bindweed, Hedge (<i>Convolvulus Sepium</i>)	Prohibited
Nut Grass (<i>Cyperus Rotundus</i>)	Prohibited
Witchweed (<i>Striga Asiatica</i>)	Prohibited
Wild Onions (<i>Allium Spp.</i>)	27 per lb.
Blessed Thistle (<i>Cnicus Benedictus</i>)	27 per lb.
Sandbur (<i>Cenchrus Pauciflorus</i>)	27 per lb.
Wild Mustard and/or Turnips (<i>Brassica Spp.</i>)	50 per lb.
Wild Oats (<i>Avena Fatua</i>)	50 per lb.
Wild Radish (<i>Raphanus Raphanistrum</i>)	50 per lb.
Perennial Sweet-Type Sudangrass	50 per lb.
Sorghum Almum	50 per lb.
Sorgrass	50 per lb.
Johnson Grass (<i>Sorghum Halepense</i>)	50 per lb.
Canada Thistle (<i>Cirsium Arvense</i>)	100 per lb.
Quack Grass (<i>Agropyron Repens</i>)	100 per lb.
Russian Knapweed (<i>Centaurea Picris</i>)	100 per lb.
Doddars (<i>Cuscuta Spp.</i>)	100 per lb.
Blue Weed (<i>Helianthus Ciliaris</i>)	200 per lb.
Bermuda Grass (<i>Cynodon Dactylon</i>)	300 per lb.
Bracted Plantain (<i>Plantago Aristata</i>)	300 per lb.
Buckhorn Plantain (<i>Plantago Lanceolata</i>)	300 per lb.
Cheats or Chess (<i>Bromus, Secalinus and/or Commutatus</i>)	300 per lb.
Corn Cockle (<i>Agrostemma Githago</i>)	300 per lb.
Docks (<i>Rumex Spp.</i>)	300 per lb.
Darnel (<i>Lolium Temulentum</i>)	300 per lb.
Horsenettle (<i>Solanum Carolinese</i>)	300 per lb.
Nightshade (<i>Solanum Elaeagnifolium</i>)	300 per lb.
Red Rice (<i>Oryza Sativa Var.</i>)	300 per lb.
Sheep Sorrel (<i>Rumex Acetosella</i>)	300 per lb.

The single limitation listed above is the maximum number allowable for that weed with not over 300 total noxious weed seeds singly or collectively in any combination.

The rate of occurrence of all noxious weeds present shall be listed on the tag or label in name and number per pound of seed.

AGRICULTURAL MARKETING COMMISSION

Promulgated under authority of Section 3-208, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State May 15, 1959)

The following is an additional Rule and Regulation governing the operation of the Columbia State Farmers Market:

SECTION XXXIII. Lease contracts that all wholesale tenants have on the Market provide that the premises occupied by them are for the purpose of buying and selling farm produce and for no other purpose or use whatsoever.

Hereafter it will be permissible for dealers occupying wholesale warehouse units to offer for sale in vending machines only coffee, soft drinks, candy, salted peanuts and nabs. No other article of merchandise may be sold unless prior approval for such sale is obtained from the Market Manager.

COUNTY COUNCIL OF CHARLESTON COUNTY

Promulgated under authority of Section 14-353 (c), Code of Laws of
South Carolina, 1952

Subdivision of Land

(Filed in the office of the Secretary of State June 4, 1959)

Those interested should refer to the copy of these subdivision regulations which is filed in the office of the Secretary of State.

CONTRACTORS LICENSING BOARD

Promulgated under authority of Section 56-404, Code of Laws of
South Carolina, 1952

Rules and By-Laws

Revised July 15, 1958

(Filed in the office of the Secretary of State August 22, 1958)

Section 1. For the purpose of carrying out the provisions of Chapter 8, Volume 5, Sections 56-401 through 56-428, (1952) Code of Laws of South Carolina, as amended, there shall be elected from the members of the South Carolina Licensing Board for Contractors, which is hereinafter referred to as the Board, a chairman and vice-chairman, the election of which shall take place at the April meeting of each year and the elected chairman and vice-chairman shall assume office immediately following the election. It shall be the duty of the chairman to call and preside over all meetings of the Board and perform such duties as may come within the jurisdiction of his office. It shall be the duty of the vice-chairman to function as chairman in the absence of the chairman.

Section 2. The Board shall employ a Secretary-Treasurer or a Secretary and a Treasurer who need not be a member of the Board. The Secretary-Treasurer shall keep a record of the proceedings of the said Board and

shall receive and account for all monies derived from the operation of Chapter 8, Volume 5, Sections 56-401 through 56-428 and amendments. The Secretary-Treasurer shall give bond in such sum as the Board shall determine with such surety as shall be approved by the Board. Said bond shall be conditioned for the faithful performance of the duties of his office and for the faithful accounting of all monies and other property as shall come into his hands. The Secretary-Treasurer shall have the power to employ the necessary clerical and legal service to assist in carrying out the provisions of this Article. The salary of such personnel shall be fixed by the Board. The Secretary-Treasurer shall also have the power to purchase whatever office equipment, stationery, rent, or other miscellaneous articles as may be necessary for the operation of the Board. Any expenditures from the funds of the Board shall be made by voucher, which shall be signed by the Secretary-Treasurer.

Regular meetings of the Board shall be held during April and October of each year and additional meetings may be held at such other times and places as the Board shall deem necessary. Special meetings will be held at the call of the chairman at the request of any two members of the Board. Three members of the Board which shall include either the chairman or vice-chairman shall constitute a quorum.

Section 3. For the purpose of this Chapter: A general contractor shall be one who for a fixed price, commission, fee or wage undertakes or offers to undertake the construction or superintending of construction of any building, highway, sewer, grading, improvement, re-improvement, structure, or part thereof, when the cost of the undertaking is twenty thousand (\$20,000.00) dollars or more. The cost of the undertaking for purposes of the Chapter shall include the over all cost of all materials, equipment and labor unless the owner specifically states in the invitation for bids, or in the plans and specifications covering the project, that a specified item, or items, of material and/or equipment are to be furnished by the owner and are not to be included in the bid proposal. Anyone who engages or offers to engage in such undertaking in the State of South Carolina shall be deemed to have engaged in the business of general contracting in this State.

A mechanical contractor shall be one who for a fixed price, commission, fee or wage undertakes or offers to undertake any plumbing, heating, air conditioning or electrical work when the cost of the undertaking is seven thousand five hundred (\$7,500.00) dollars or more. The cost of the undertaking for purposes of the Chapter shall include the over all cost of all materials, equipment and labor unless the owner specifically states in the invitation for bids, or in the plans and specifications covering the project, that a specified item, or items, of material and/or equipment are to be furnished by the owner and are not to be included in the bid proposal. Anyone who engages or offers to engage in such undertaking in this State shall be deemed to have engaged in the business of mechanical contracting in this State.

Section 4. All persons, firms, or corporations desiring to be licensed as a general or mechanical contractor in the State of South Carolina shall

make and file with the Board, at least thirty days prior to any regular or special meeting thereof, a written application on such form as may be prescribed by the Board, said application to be supported by a financial statement and experience record prepared on forms prescribed by the Board and accompanied by the sum of \$60.00. Before being permitted to take the examination the applicant shall furnish evidence through applicant's surety company of its ability to furnish bond for an amount in excess of the minimum established by those Rules and By-Laws for the limitation and classification applied for. It shall be the responsibility of the Board to ascertain from the application and proofs furnished that the applicant is possessed of good character and is otherwise qualified as to competency, ability and integrity and that the applicant has not committed any act which if committed by any licensed contractor would be grounds under the provisions hereinafter set forth for the suspension or revocation of contractor's license, or that the applicant has not committed any act involving dishonesty, fraud, or deceit; provided, no applicant shall be refused the right to an examination without being given an opportunity, upon such notice as may be prescribed by the Board, to appear before the Board and produce evidence in support of his application. If an applicant is an individual, examination may be taken by his personal appearance for examination, or by the appearance for examination of one or more of his responsible managing employees, and if a co-partnership or corporation, or any other combination or organization, by the examination of one or more of the responsible managing officers or members of the personnel of the applicant, and if the person, or persons, so examined shall cease to be connected with the applicant, the license shall be cancelled immediately; however, if the contractor notifies the Board of such change, then in such event, the license shall remain in full force and effect for a period of thirty days thereafter, and then be cancelled, but the applicant shall then be entitled to a re-examination, all pursuant to the rules promulgated by the Board; provided that the holder of such license shall not bid on or undertake any additional contracts from the time such examined employee shall cease to be connected with the applicant until said applicant's license is re-instated as provided in the Act. In cases where the applicant has sent in two representatives for examination the foregoing holds true in the event one or both of the parties participating in the examination shall cease to be connected with the applicant.

Examinations shall be held quarterly and shall be scheduled during the last week of the first month of each calendar quarter. The Board shall, however, have authority to vary the examination dates should it be found necessary so to do. Special examination may be held at the discretion of the Board when sufficient evidence is submitted to show that to wait for a regularly scheduled examination would work undue hardship on an applicant or any owner or awarding authority seeking bids for some specific work where there are not sufficient qualified contractors to assure competitive bids. Fee for a special examination shall be \$100.00 and shall be paid by applicant in addition to the regular license fees provided in the Act.

Where a partnership is dissolved and both partners remain in the Contracting Business the license issued to the partnership shall be cancelled and both partners shall apply for an original license. However, should only one partner remain in the contracting business that one shall apply for a new license.

Section 5. Under no circumstances shall a permit to bid, construct, or superintend the construction of any building or improvement of any kind costing \$20,000.00 or more be given prior to taking the required examination; nor shall any permit be issued to any Mechanical Contractor to bid, construct, or superintend construction of any Mechanical work costing \$7,500.00 or more prior to taking the required examination. The Board shall conduct a written examination of all applicants to ascertain the ability of the applicant to make a practical application of his knowledge of the profession of contracting, under the classification contained in the application, and to ascertain the qualifications of the applicant in reading plans and specifications, knowledge of estimating costs, construction, ethics or other similar matters pertaining to the contracting business. If the results of the examination of applicant shall be satisfactory to the Board, then the Board shall issue to the applicant a certificate to engage as a General or Mechanical Contractor in the State of South Carolina as provided in said certificate.

General Contractors license may be limited into four classifications: (1) Highway Contractor, (2) Building Contractor, (3) Public Utility Contractor, and (4) Specialty Contractor, which shall include those whose operations as such are the performance of construction work requiring special skill and involving the use of specialized building trades or crafts, but which shall not include any operations now or hereafter under the jurisdiction for the issuance of license by any Board or Commission pursuant to the laws of the State of South Carolina.

The Board shall issue a license as a matter of right to any person who shall have had an application on a prescribed form therefor on file for at least seven days, presents a bidder's or contractor's certificate issued by the South Carolina Highway Department under Section 33-223, and pays the license fees required by this chapter.

Classifications covering mechanical contracting shall be under four fundamental branches of construction: namely, (1) Plumbing; (2) Heating; (3) Air Conditioning; and (4) Electrical.

Section 6. Anyone failing to pass the examination as prescribed by the Board may again make application for the written examination without additional fee, or the applicant may withdraw his application and be refunded one-half of the application fee submitted with the application. Should the applicant fail in any way to complete his application by either failing to furnish detailed information, such as financial information, surety recommendations, or any additional information as required by the Board; or should the applicant fail the examination for the second time; or fail to take the required written examination after being given sufficient notice to appear for examination, the application fee submitted with the application will be forfeited. Should the applicant desire to be further considered by

the Board, or appear for the third examination, the applicant shall make a new application and pay the required application fee. The original certificate of license and the annual renewal license as issued by the Board shall contain the signatures of the Chairman and Secretary-Treasurer and shall be on display at the business location of the licensee at all times. The fact that an applicant can show that he is a graduate from a recognized college does not entitle him to license under any classification, but the entire record of applicant will be considered in issuing his license.

Section 7. Classifications on General Contracting shall be under four fundamental branches of construction: namely, (1) Highway Contractor, (2) Building Contractor, (3) Public Utility Contractor, and (4) Specialty Contractor, or the Board may grant an unlimited and unclassified certificate to those applicants satisfying the members of the Board that said applicants are qualified and equipped to construct any type of project coming under the definition of a General Contractor. Each applicant shall qualify under one or more of the above classifications or any part or parts thereof.

License to practice General Contracting shall be issued under the following limitation groups: (1) Limited Group—No one contract to exceed \$75,000.00; (2) Intermediate Group—No one contract to exceed \$300,000.00; and (3) Unlimited Group—Unlimited.

Section 8. Classifications for Mechanical Contracting shall be under four fundamental branches of construction: namely, (1) Plumbing, (2) Heating, (3) Air Conditioning, and (4) Electrical; or the Board may grant an unlimited and unclassified Mechanical Contracting Certificate to those applicants satisfying the members of the Board that said applicants are qualified and equipped to engage in any type of Mechanical Contracting.

License to practice Mechanical Contracting shall be issued under the following Limitation Groups: (1) Limited Group—No one contract to exceed \$25,000.00; (2) Intermediate Group—No one contract to exceed \$100,000.00; and (3) Unlimited Group—Unlimited.

Section 9. Any licensee desiring to be placed within a higher limitation group shall make application upon the prescribed form furnished by the Board thirty days prior to being granted such an increase and shall furnish evidence of ability to furnish contract bond for such amounts as required in the higher limitation and classification for which application is made. Under no conditions shall a contractor be permitted to bid over his limitation prior to complying with the above instructions and being issued a higher limitation by the Board. Anyone desiring to acquire an additional classification or limitation shall be entitled to an examination and consideration as prescribed by the Board. Application for revision of license shall be filed at least thirty days prior to any regular examination period.

Section 10. Renewal of General or Mechanical Contractors License Certificates may be effected during the month of January following the expiration date, December 31st, of the year issued, by filing proper application and financial statement on the forms then prescribed by the Board, and payment of a fee of \$60.00. Requirement of a financial statement to

support renewal applications may be waived; however, applicant shall furnish a current financial statement upon the form prescribed by the Board within 30 days after requested so to do by the Board. Applications for renewal of General and Mechanical Contractor's license received after January 31st following the year issued shall be treated as original applications and shall require a thirty day waiting period before approval.

Should the applicant desire a change in classification or limitation of his license, he should so inform the Board in order that he may be notified as to the date of the first quarterly examination following such notification in order that he may have a certified representative of his firm appear for examination under the classification and/or limitation desired.

A certificate of license to replace any certificate lost, destroyed or mutilated may be issued by the Board at a fee of \$1.00 upon receipt of a sworn statement by licensee that such certificate has been lost, destroyed or mutilated.

Bidder's License: Any person engaging in the business of general or mechanical contracting as a prime contractor in this State shall pay an annual bidder's license fee of one hundred dollars. This fee shall be due and payable on January 1st of each year or prior to offering or submitting any bid as a prime contractor, which would classify him as a general or mechanical contractor, when the bid exceeds \$20,000.00. Persons employed on a per diem or monthly basis or whose sole business is that of supervision shall not be required to pay the license fee prescribed by this section. Sub-contractors bidding to licensed prime contractors are not deemed to come under the requirements for a Bidder's License.

Section 11. Violations: (a) Any person not duly authorized who shall attempt to practice general or mechanical contracting in this State, except as provided for in the Act and any person (1) presenting or attempting to file as his own the license certificate of another; (2) who shall give false or forged evidence of any kind to the Board or to any member thereof in acquiring a certificate or license; (3) who falsely shall impersonate another; (4) who shall use an expired or revoked certificate or license; or (5) any person licensed hereunder who shall allow any other person to use his license in any way shall be guilty of a misdemeanor and it shall be the duty of the Secretary-Treasurer of this Board, or other authorized agent, to report same to the prosecuting attorney, in the county where any violation occurs, and to assist said attorney, solicitor or others in prosecuting any case which may come to his notice.

(b) It shall be a misdemeanor punishable in the discretion of the court for any architect, engineer, awarding authority, owner, contractor, or person acting therefor, to receive or consider any bids unless the bidder has first obtained the licenses provided for in this chapter.

Section 12. It shall be the duty of the members of this Board to see that all architects and engineers preparing plans and specifications for work to be constructed in the State of South Carolina shall include in their invitations to bidders and in their specifications a copy of this Act or such portion thereof as is deemed necessary to convey to the bidder, whether he is a resident or non-resident of this State and whether a

license has been granted to him or not, the information that it will be necessary to show evidence of Bidder's License and/or General or Mechanical Contractor's License under proper classification and limitation group before his bid may be opened or considered.

Section 13. The appointment of a receiver for bankruptcy proceedings of anyone licensed under this Act shall be considered evidence sufficient for revocation of license.

Section 14. It shall be the duty of engineers; architects, firms, corporations and others receiving bids from General or Mechanical Contractors as construed under the Act for licensing contractors in South Carolina, to report to the Secretary of the Board all work coming under their jurisdiction. The notification shall include the time and place for receiving bids, the estimated cost and nature of the work together with a list of prospective bidders. Such notices shall be filed in time to reach the Board at least twenty-four hours in advance of the date of receiving bids. Immediately after the contract is awarded, the Board shall be notified giving name of contractor and the amount of the contract.

Section 15. It shall be the duty of the building official, or other authority charged with the duty of issuing building or other similar permits; of any incorporated municipality or subdivision thereof to refuse to issue a permit for any undertaking which would classify the applicant therefor as a general or mechanical contractor under the provisions of this Chapter unless the applicant has furnished evidence that he is either licensed as required by this Chapter or exempt from the requirements thereof. It shall also be the duty of the building official or other authority charged with issuing building or other similar permits, to report to the State Licensing Board for Contractors the name and address of any person, firm, or corporation who, in his opinion, has violated this act by accepting or contracting to accomplish work which would classify such person as a general or mechanical contractor under the provisions of this Chapter.

COSMETIC ART EXAMINERS

Promulgated under authority of Section 56-471, Code of Laws of
South Carolina, 1952

Sanitary Rules and Regulations

For all Cosmetology Establishments Operating in South Carolina
(Filed in the office of the Secretary of State March 25, 1959)

All beauty shops, schools and colleges of beauty culture, or other hair-dressing establishments shall before opening in the State notify the Board in writing at least thirty (30) days in advance so that an inspection may be made by the Board or its Agents, to determine whether the shop has satisfactory facilities and equipment and to determine the sanitary and safety conditions of the premises. All shops and schools must be open for inspection at all times during business hours to any members of the South Carolina State Board of Cosmetic Art Examiners or its Agents or Assistants.

1. **Lighting and Ventilation:** All beauty shops and schools shall be provided with adequate natural or artificial light and shall be properly ventilated.

2. **Floors:** Floors must be kept mopped or waxed and walls, furniture and other fixtures must be kept clean, free from dust and in good repair.

3. **Equipment:** Beauty Shop equipment must be kept clean at all times. All electrical outlets and equipment must be kept in good repair.

4. **Wet Sterilizer:** Beauty Shops shall have at least one wet sterilizer (Fish-kettle preferred) containing an authorized disinfectant and must be large enough to be used for sanitizing all instruments, combs, brushes, etc., used in the beauty shop or school.

5. **Dry Cabinet:** Beauty Shops shall have at least one dry cabinet with mesh shelves and large enough to accommodate all sanitized instruments, combs, brushes, linens, etc., used in the Beauty Shop or School. This cabinet must at all times have a small container filled with 40% formaldehyde.

6. **Towels:** Clean towels must be kept in the dry cabinet until ready for use. Soiled towels must be kept in a closed container. Every operator shall use separate and clean towels for each patron.

7. **Manicurists:** A Manicurist is required to supply herself with tincture of iodine U.S.P., or equivalent antiseptic approved by the State Board of Health, to be used on skin of patient if it should accidentally be broken during the process of manicuring. She must cleanse her instruments with soap and water, and immerse in 70% alcohol for at least 10 minutes. The alcohol for this purpose may be kept in a covered container of such size as will accommodate the instruments. When not in use, she must dry instruments and keep in a dry cabinet. Extra buffer covers and an additional set of instruments shall be available to provide for adequate sanitation.

8. **Hot and Cold Running Water:** Every owner of any beauty establishment must supply hot and cold running water in such quantities as may be necessary to conduct said beauty establishment in a sanitary manner.

9. Beauty shops and schools shall comply with the Industrial plants regulations of the State Board of Health pertaining to water supplies, common cups, drinking fountains, and toilet facilities; and further all beauty shops and schools which are located in private residences shall provide toilet facilities for the use of the operators and customers only in said shops and schools.

10. **Appearance of Operator:** All operators shall wear washable outer linen apron, uniform, or coat, which shall be kept clean.

11. **General Conditions:** (a) The use of a beauty shop as living, dining or sleeping quarters is prohibited. If a beauty shop is located in a private residence a separate room must be provided for beauty parlor work. Shops conducted in connection with a home shall provide a separate entrance to such shop and there shall be no entrance to or from any living quarters or any part of the house, other than the entrance to the shop.

(b) No owner, or manager, of a beauty establishment shall permit any person to work in said beauty establishment without first posting his or her current South Carolina Cosmetology License or Permit.

(c) Every person engaged in the beauty establishment must thoroughly cleanse his or her hands immediately before serving each patron.

(d) All creams, lotions and other cosmetics used for patrons must be kept in clean and closed containers.

(e) Open powder boxes, rouge and lipstick must not be used in a reception room for patrons. The powder must be kept in shakers or similar receptacles. Individual lipstick and rouge shall be used.

(f) Lotions, or fluids, must be poured into a clean glass, or other sanitized container, and applied to patrons by means of cotton or other sterile methods.

(g) Creams and other semi-solid substances shall be dipped from the container with sterile article or spatula. Removing such substances with the fingers is prohibited.

12. License Posted: Upon approval of a shop—a shop License will be issued and it shall be posted in a conspicuous place. Beauticians must display in a conspicuous place their South Carolina current license to practice cosmetology in this State.

13. Rules Posted: A copy of these rules and regulations must be posted in Beauty Shops, Schools, Colleges and other hair-dressing establishments.

The willful and continued violation of these rules and regulations adopted by the State Board of Cosmetic Art Examiners, and approved by the State Board of Health, constitutes a misdemeanor, punishable upon conviction by a fine of not less than \$10.00 and not more than \$50.00, or imprisonment for not less than ten days and not more than thirty days. Act 771, Section 28 (f), of the Acts of the General Assembly of 1934, codified as Section 56-481, Code of Laws of South Carolina, 1952.

DAIRY COMMISSION

Promulgated under authority of Act No. 255 of 1955

Amendments to Milk Market Order No. 1

(Filed in the office of the Secretary of State August 7, 1958)

Section II is amended by deleting all of paragraph A and entering in lieu thereof the following:

A. Milk Classification.

Class I shall include all sales of processed fluid milk* and fluid milk products* containing one per cent (1%) or more of milk fat (excluding sour cream), except as herein specified in Class II-A. Fluid cream and milk cream mixtures and concentrated milk in excess of six per cent (6%) butterfat shall be included in Class I on a milk equivalent basis**.

Class II shall include all sales of fluid milk products containing less than one per cent (1%) of milk fat and not accounted for in the milk equivalent of Class I cream and milk cream mixtures sales.

Class II-A shall include all fluid milk and milk products sold to U. S. government military installations, except such fluid milk and milk products sold to such installations for resale through post commissaries, post exchanges or other establishments. Fluid milk and fluid milk products sold to such installations for resale shall take their respective classification as defined above.

Class III shall include all milk received and not accounted for in Class I, Class II, and Class II-A.

(Filed in the office of the Secretary of State September 30, 1958)

Section V is amended by deleting the entire section and inserting in lieu thereof the following:

Section V—Sale of Equipment:

The sale of any type of equipment by a licensed distributor, producer-distributor, or sub-distributor to any customer or prospective customer is prohibited except under the following conditions:

1. Where the total cost of such equipment, including freight, installation and other related costs are included in the sales price; and
2. Where the terms of payment are cash or the same as the printed or established retail terms of such equipment manufacturer or agent. In the absence of printed or established retail terms of such equipment manu-

* The actual weight of sugar and chocolate or other flavoring used in the total sales of flavored milk or drink may be deducted from the gross weight of flavored milk or drink sales.

** The weighted average butterfat test of all producer milk received during the settlement period shall be used in converting cream and milk-cream mixtures [in excess of six per cent (6%) butterfat] to a milk equivalent basis. Those distributors that do not determine the weighted average butterfat test of producer milk shall convert cream and milk-cream mixtures [in excess of six per cent (6%) butterfat] to a four per cent (4%) milk equivalent basis.

facturer or agent the terms shall be a down payment of not less than 10% of the total cost, with the balance, plus interest at the rate of 6% per annum, to be paid in equal successive monthly installments not to exceed more than one (1) month for each twenty-five dollars (\$25.00) of the unpaid balance excluding interest or thirty-six months whichever is less. If the estimated life of the equipment is less than the time required to pay for same under the above terms, the payments must be made in equal successive monthly installments over the estimated life of such equipment; and

3. Provided a written legal and binding contract is entered into by the licensee and the purchaser, a copy of which must be kept on file by the licensee for Commission inspection.

Where any type of equipment is sold by a licensee to a public, parochial, or private school the terms shall be as set forth in 2 above except the minimum down payment shall not be mandatory.

(Filed in the office of the Secretary of State May 26, 1959)

Section IV paragraph B is amended by adding sub-paragraphs 3 and 4 as follows:

3. No distributor; parent, subsidiary, or branch thereof; licensed to distribute milk in South Carolina shall bottle or package fluid milk or fluid milk products under private label for any retail outlet in the State of South Carolina.

4. No licensed distributor of milk shall place into effect in South Carolina a schedule of platform prices for milk and milk products before such schedule has been submitted to the Commission and the differential between the distributor's established delivered wholesale prices and the proposed platform prices has been justified to the Commission by the distributor. Justification of the differential between the delivered wholesale prices and the proposed platform prices must be based on economics effected.

DEPARTMENT OF EDUCATION

Promulgated under authority of Section 21-45, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State January 30, 1959)

The following are general regulations adopted by the State Board of Education on the dates as indicated.

Adopted by State Board January 17, 1958

"Whereas, by quitclaim deed dated September 13, 1947, the United States of America, acting by and through the War Assets Administrator, conveyed, with a ten-year Government control stipulation, a tract of land adjacent to what is now known as Capital Airport, formerly known as the Columbia Army Air Base in Lexington County, to the State of South Carolina to be used by the State Department of Education to operate an Opportunity School and a Trade School, and,

"Whereas, the ten-year period of control and operation of the property has expired and the State of South Carolina now holds a fee simple title to the property, and,

"Whereas, the Opportunity School has been made an independent institution by the Legislature of South Carolina and the board of trustees is requesting the Budget and Control Board to give to the Opportunity School board title to the part of the property that has been occupied by the school for the past eleven years, therefore,

"Be it resolved that the State Board of Education of South Carolina approves the request presented by the Opportunity School board of trustees and requests the Budget and Control Board to give consideration to this request."

Adopted by State Board May 16, 1958

"Be it resolved, that the Denmark Branch of the South Carolina Area Trade Schools be authorized to establish a student activities fee of two dollars per semester beginning May 26, 1958."

Adopted by State Board June 20, 1958

"Eligibility of Local Boards for Establishing and Operating Classes.

Local school districts are permitted to operate classes or centers for Trainable Mentally Handicapped Children. The training program shall be under the direct supervision and control of the local school district and shall receive the same services as do regular classes in the public schools.

Local school districts, in order to receive state aid under the terms of the Act providing for reimbursement to school districts operating classes for Trainable Mentally Handicapped Children, shall submit to the Supervisor of Special Education upon forms provided by the State Department of Education an outline of the general organization of the class or classes, including a description of the rooms in which the classes will be taught, available facilities and equipment, the qualifications of the teacher, and a proposed plan of operation.

"Eligibility of Pupils for Instruction in Special Classes for the Trainable Mentally Handicapped.

The I. Q. range of approximately 25 to 50 shall be considered the usual limits for children in this type of special class. Actual placement in such a class will be based upon the findings of a qualified psychological examiner employing recognized individual intelligence tests and upon the recommendations of the child's physician or other competent medical authority regarding freedom from communicable diseases, physical development, limitations, and ability to profit from the class. The results of these examinations should be generally supported by the history of the child's behavioral development. The child must be able to communicate to the extent that he can make his wants known. He must be able to understand simple directions. He must be trained in toilet habits so that he has control over his bodily functions, and his social and emotional development must be advanced to the extent that his behavior endangers neither himself nor the welfare of others in the school group. He must be ambulatory to the extent

that no undue risk to himself or hazard to others is involved in his daily work and play activities.

The local Board retains the prerogative of excluding specific cases whose inclusion in their judgment would work to the detriment of or would fail to promote the best interests of the school.

"Classrooms and Facilities.

Classes and centers for trainable mentally handicapped children may be housed in regular schools or other suitable facilities, provided they are approved by the State Supervisor of Special Education.

The classroom shall be a standard size classroom on the ground floor and shall have adjoining toilet facilities. Outdoor play space will be accessible.

"Length of School Day.

The length of the school day for classes for Trainable Mentally Handicapped children shall conform to the general pattern of classes for the school in which the class for trainable children is located, provided, however, that where cafeteria facilities are not available classes be dismissed earlier so as to enable the pupils to have lunch at home. Where a longer school day is necessary for trainable children than is customary, provision shall be made for extended recreation periods, rest periods, and an extended lunch period. The length of the school day for the teachers of trainable children shall be no less than that of other teachers in the school.

"Teacher Certification.

In-Service Program—Certification requirements for teachers of the Trainable Mentally Handicapped who receive training through an in-service program shall be the same as those requirements for teachers of the educable mentally handicapped. Special emphasis, in training courses, shall be placed upon the problems associated with mongolism and brain injury."

Adopted by State Board July 18, 1958

"Regulations for Special Education adopted by the State Board of Education April 16, 1954, under authority of Act No. 589 of 1954 are hereby re-affirmed and made applicable to Act No. 882 of Acts and Joint Resolutions of 1958 approved April 9, 1958."

Adopted by State Board October 24, 1958

"Whereas, the Columbia Branch of the South Carolina Area Trade Schools and the Opportunity School have jointly owned the Chapel, located on the premises of the Trade School, for the past eleven years; and

"Whereas, this Chapel has not been used very effectively as a church because of the proximity of many denominational churches; and

"Whereas, the Trade School is in need of a student center which could be provided by certain repairs and remodeling of the above Chapel;

"Now, therefore let it be resolved, that the Director of the South Carolina Area Trade Schools be authorized to acquire the equity of the Opportunity School in this structure; and

"Be it further resolved, that the Trade School officials be authorized to convert this building into a suitable student center at the earliest possible date."

Adopted by State Board November 21, 1958

"Whereas, Pursuant to Act Number 148 of the Acts of 1947, the Surplus Property Procurement Division of the South Carolina Research Planning and Development Board acquired from the United States Government a certain dock and walkway located at Murrell's Inlet, South Carolina, all as more particularly described in a contract dated December 1, 1948, governing sale of Government owned property to the State of South Carolina, and

"Whereas, This dock and walkway were acquired by the said Research Planning and Development Board for and on behalf of the South Carolina State Department of Education, all upon terms and conditions which were satisfactory to and accepted by the South Carolina State Board of Education, for use by the South Carolina Association of Future Farmers of America in connection with their Future Farmers of America Camping Program, and

"Whereas, A new Future Farmers of America camp has been established at East Cherry Grove Beach, South Carolina, and the Murrell's Inlet Future Farmers of America Camp is no longer being used for camping, and

"Whereas, Funds from the sale of the Murrell's Inlet Future Farmers of America Camp property are needed for the further expansion of the Future Farmers of America camping program in other areas of the State,

"Be it resolved, That the South Carolina State Board of Education approve the sale of the property mentioned herein, and

"Be it further resolved, That, since South Carolina Association of the Future Farmers of America funds were used to purchase this property from the United States Government, that the funds from the sale of this property be used to further develop and expand the Future Farmers of America camping program in South Carolina."

Adopted by State Board January 16, 1959

"Be it resolved that the State Board of Education hereby authorizes the South Carolina Area Trade Schools to make application for buildings anywhere in the United States which have been designated by Surplus Property as educational projects.

"Be it further resolved that B. R. Turner, Director, and/or M. B. Robinson, Assistant Director, South Carolina Area Trade Schools, be designated as the officials through whom negotiations for this property should be conducted."

"The State Superintendent of Education, who is the Secretary and Executive Officer of the State Board of Education, is hereby authorized to act for and on behalf of this Board and is empowered to sign all instruments, receive funds, and authorize expenditure of such funds pertaining to Public Law 85-864, known as the National Defense Education Act of 1958. By the power of his office as State Superintendent of Education he

is the duly authorized officer of the State to submit the State Plan to the Commissioner of Education."

High School Regulations

(Filed in the office of the Secretary of State January 30, 1959)

Amendments to High School Standards, filed with the Secretary of State October 14, 1957, are inserted in the form of an Addenda. The date of approval of these amendments is indicated in the first paragraph of the Addenda. This is a complete list of such amendments up to February 1, 1959. Those interested should refer to the copy filed in the office of the Secretary of State.

Teacher Education and Certification

(Filed in the office of the Secretary of State January 30, 1959)

An amendment pertaining to Certification requirements adopted by the State Board of Education October 24, 1958, is attached to and becomes a part of the bulletin pertaining to this subject filed with the Secretary of State October 14, 1957. Those interested should refer to the copy filed in the office of the Secretary of State.

Adopted by State Board October 24, 1958

Page 34—Paragraph F. **Special Permit.**

Delete:

A person who has 90 semester hours of college credit but less than a degree may be issued a Special Class IV Two-year Permit which carries the National Teacher Examination grade. Holders of this type of permit are required to earn at least six semester hours of college credit every two years for the renewal of the permit.

Replace with:

A person who has 90 semester hours of college credit but less than a degree may be issued a Special Class IV—Advanced Two-year Permit which carries the National Teacher Examination grade. Holders of this type of permit are required to earn at least six semester hours of college credit every two years for the renewal of the permit.

Vocational Education

Promulgated under authority of Sections 21-45 and 21-691, Code of Laws of South Carolina, 1952

(Filed in the office of the Secretary of State January 30, 1959)

The following is an amendment to State Plans for Vocational Education. It was approved October 25, 1957 and becomes a part of the State Plans for Vocational Education filed in the office of the Secretary of State January 17, 1949.

"Delete from D—Program of Teacher Training, page 11, b(4) which reads as follows: 'The State Homemakers annual meetings are to be held at the teacher training institutions.'

"Add to A—3—Program Organization, page 5, the following: 'Annual meetings of the State Junior and/or Future Homemakers Association and New Homemakers Association will be planned at times and places designated by state officers, executive secretaries of the associations, and supervisors of home economics education.'"

BOARD OF HEALTH

Promulgated under authority of Section 32-8, Code of Laws of
South Carolina, 1952

Waste Disposal Systems

(Filed in the office of the Secretary of State June 26, 1958)

These rules and regulations supersede Rules and Regulations Governing Septic Tanks, Volume 7, page 644, of the Code of Laws of South Carolina, 1952, filed in the office of the Secretary of State February 17, 1944.

Section 1. Each dwelling unit or building occupied for more than two hours per day shall be provided with approved facilities for the disposal of domestic or industrial waste. The facilities shall receive the approval of the State Board of Health through a duly authorized agent or duly elected or appointed Sanitary District Commission bounded by law, prior to construction.

Section 2. Where public sewers are inaccessible, impracticable, or non-existent, a septic tank sewerage system may be used for the disposal of domestic waste, provided the soil is suitable for the proper functioning of this type of disposal system, and provided the system is of adequate size and so located and installed that it will not create a public health hazard. (A septic tank shall not be installed in case connection to a public sewerage system is practicable.)

Section 3. Each person who proposes to construct, or have constructed, a septic tank waste disposal system shall, prior to the initiation of such construction, apply for and obtain from the appropriate health department, or a duly elected or appointed Sanitary District Commission bounded by law, a permit for such construction. The applicant shall furnish correct information necessary for determination of the feasibility of septic tank waste disposal system, such as: size of lot, layout of system on lot, water table, type of soil, and any other information deemed necessary. All permit holders shall construct the septic tank waste disposal system according to the following rules and regulations, and leave system exposed until final inspection is made by a duly authorized agent of the South Carolina State Board of Health, or agent of duly authorized Sanitary District Commission, for compliance with construction permit, and a certificate of inspection issued.

Section 4. No part of a septic tank waste disposal system shall be constructed within fifty (50) feet of a private or public well.

Section 5. No part of a septic tank waste disposal system shall be constructed within five (5) feet of a property line, or within five (5) feet of building foundations.

Section 6. No septic tank shall be installed which has a net liquid capacity of less than 730 gallons.

Section 7. The plans for each septic tank shall be in accordance with approved engineering standards in general, and the following standards in particular: the length shall be at least two (2) but not more than three (3) times the width; the uniform liquid depth shall not be less than four (4) feet; and the theoretical detention period shall not be less than 24 hours, based on the average daily flow. All tanks shall be constructed of a material approved by the health department and shall be water-tight.

Section 8. Tile Field

(a) The slope of the drain tile lines shall not be less than two (2) inches, nor more than four (4) inches per 100 feet.

(b) The bottom width of the ditch shall not be less than 18".

(c) Coarse aggregate under tile line shall not be less than 6" deep.

(d) The diameter of the drain tile shall not be less than 4" and the length of each joint not over 1 foot. Any other type distributor or tile shall have appropriate health department approval before used.

(e) Top half of tile joints shall be covered with strips of asphalt roofing or other approved type of joint cover.

(f) Distribution drop boxes shall be installed where terrain grade is over 4%.

(g) The length of the tile field will be determined by the number of bedrooms per dwelling, or the number of persons using facilities, the soil conditions, and depth of the water table, but no tile field shall have less than 100 feet of tile.

(h) The number of distributor tile lines shall not be less than two (2).

(i) No individual distributor tile line shall be over 100 feet in length. All tile lines shall be installed according to standard engineering procedures. Grade boards shall be set prior to construction of lines.

(j) The depth of coarse aggregate over the tile line shall not be less than 3".

(k) The depth of earth cover over coarse aggregate shall not be less than 9".

Section 9. The minimum elevation of the ground water table shall be at least three (3) feet below the surface. Rock formations or other impervious strata should be at a depth greater than six (6) feet below the surface.

Section 10. A grease trap shall be installed on the kitchen waste line preceding the septic tank in each case where the tank serves a boarding house, cafe, restaurant, hotel, or other public eating place. The grease trap shall have a theoretical detention period of at least thirty minutes. Grease traps opening into the kitchen will not be approved.

Section 11. The plans and specifications for each septic tank and disposal field installation having a capacity of two thousand (2,000) gallons, or serving sixty (60) or more persons shall be submitted to the Division of Sanitary Engineering of the State Board of Health through the local health department, and approved by the State Health Officer, before the unit is installed. Each such tank shall be constructed so as to have an effluent

compartment not longer than one-third the total length of the tank, nor shorter than three (3) feet, and shall be equipped with a dosing chamber and siphon if a tile field or filter is used for secondary treatment of the tank effluent, unless otherwise authorized.

Section 12. No septic tank or filter effluent shall be approved for discharge into any stream in South Carolina by a duly authorized agent of the South Carolina State Board of Health without the concurrence of the South Carolina Water Pollution Control Authority.

Section 13. No septic tank shall be cleaned (pumped out), or the effluent from any septic tank disposed of in any manner whatsoever, without first receiving a permit from the local health department.

Section 14. All rules and regulations pertaining to septic tanks heretofore promulgated are hereby declared null and void.

Section 15. Failure to comply with the provisions of any section or subsection of these regulations constitutes a violation thereof, and shall constitute, according to Section 32-17, Code of Laws of South Carolina, 1952, a misdemeanor, punishable as provided in that section.

Communicable Diseases

(Filed in the office of the Secretary of State June 26, 1958)

A pamphlet, **Control of Communicable Diseases in Man**, an official report of the American Public Health Association, adopted by the Executive Committee of the State Board of Health at its regular meeting on May 13, 1958, as provided under Section 7, of the said rules and regulations governing Communicable Diseases, is filed in the office of the Secretary of State. Those interested should refer to this copy which supersedes rules and regulations governing Communicable Diseases, Volume 7, pages 552-558, of the Code of Laws of South Carolina, 1952, filed in the Secretary of State's Office February 17, 1944.

(Filed in the office of the Secretary of State June 26, 1958)

The following was adopted May 13, 1958 and supersedes rules and regulations governing Communicable Diseases, Volume 7, pages 552-558, Code of Laws of South Carolina, 1952, filed in the Secretary of State's Office February 17, 1944.

Section 1. Physicians shall report cases of certain diseases (and deaths) from them.

Every physician in the State of South Carolina shall report in writing or by an acknowledged telephone communication to the local health authority where such exists or where one does not exist, to the state health officer, immediately after his or her first professional visit, each patient, he or she shall have found suffering, or suspected to be suffering, with any contagious disease. He or she shall report, as required above, every death from such contagious or pestibutial disease immediately after it shall have occurred. The attending physician is authorized and it is made his duty to place the patient, the household and the premises under the restrictions as herein-after provided, for the management and control of said disease, until such

time as the control of said disease may be assumed by the local or state board of health.

Section 2. Physicians shall report cases of occupational diseases.

Each physician having knowledge of any person whom he believes to be suffering from any occupational disease shall report the diagnosis of the disease to the state board of health. The term occupational disease has reference to one which occurs with definite frequency and regularity in occupations where there is a specific exposure as the cause which operates to produce effects in the human body recognized clinically by the medical profession as pathological changes and effects produced by the specific exposure involved. The state board of health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases which shall be reported in accordance with the provisions of this section. The state board of health is also authorized to study and provide advice in regard to conditions that may be suspected of causing occupational diseases, provided information obtained upon investigations made in accordance with the provisions of this section shall not be admissible as evidence in any action of law to secure compensation for occupational diseases through common law.

Section 3. Householders, heads of families, etc., shall report contagious diseases.

Every hotel proprietor, keeper of a boarding house or inn, keeper or manager of tourist, trailer or other camp, and householder or head of a family, in a house wherein any case of a reportable or contagious disease may occur, shall report the same to the local health authority as early as possible after the time of his or her first knowledge or suspicion of the nature of the disease, unless a medical physician is already in attendance; and in case of quarantinable diseases, until instructions are received from the said local health authority, shall not permit any clothing or other articles which may have been exposed to infection to be removed from the house, nor shall any occupant of said house change his residence elsewhere without the consent of the local health authority.

Section 4. Nurses and midwives shall report redness or inflammation of eyelids to health authorities.

Whenever any nurse, midwife or other person not a legally qualified practitioner of medicine shall notice inflammation of the eyes or redness of the lids in a newborn child under his or her care, it shall be the duty of such person to report the same to the local health authority, or, in his absence, to any reputable physician, as early as possible after the same is first noticed.

Section 5. The notifiable diseases in South Carolina.

Amebiasis, anthrax, botulism, brucellosis, chlorea, dengue, diphtheria, encephalitis, infectious; glanders, hepatitis, infectious and serum; leprosy, leptospirosis, malaria, meningococcal, infections; meningitis, other; plague, poliomyelitis, paralytic, nonparalytic; psittacosis, rabies in man, relapsing fever (louse-borne); rheumatic fever, rocky mountain spotted fever, salmonellosis, typhoid fever, all other including paratyphoid; shigellosis,

smallpox, tetanus, trichinosis, tuberculosis, all forms; tularemia, typhus fever, endemic and epidemic; venereal diseases and yellow fever.

Asbestosis, silicatosiis, silicosis, cataract (glass workers), compress air illness, dermatitis due to irritating oil, cutting compounds or lubricants, chemical dusts, paints, plastics, liquids, dyes, fumes, gases or vapors; lead poisoning, mercury poisoning, carbon monoxide poisoning or oxides of zinc, **manganese and other metals**; carbon tetrachloride and phosgene poisoning, poisoning by carbon disulphide, methanol, or volatile halogenated hydrocarbons; poisonings by benzol, or nitro- and amino-derivatives of benzol (**dinitrobenzol, anilin, and others**); chlorine poisoning, poisoning by sulphuric, hydrochloric or hydrofluoric acid; poisoning by volatile petroleum products; poisoning by refrigerants, ethyl bromide, sulphur dioxide, hydrogen sulfide, nitrous gases, butyl alcohol, explosives, esters or aldehydes.

Section 6. Local health authorities shall keep records of contagious diseases.

City, town and county health authorities shall keep a careful and accurate record of all cases of notifiable diseases reported to them, with the name, date, age, sex, race, location, and such other necessary data as may be prescribed from time to time by the state board of health. They shall also make a report of all notifiable diseases to the state board of health at such time and on such form as may be required. Whenever such disease is or is suspected to be smallpox, chlorea, plague, yellow fever, epidemic typhus fever, louse-borne relapsing fever, botulism or dengue, they shall report such occurrence or suspicion immediately to the state health officer by telephone or telegraph. Such other diseases that are unusual in their nature or in occurrence shall be reported to the state board of health immediately.

Section 7. Rules and regulations relating to quarantine, isolation and other control measures to be observed by all health authorities.

The definitions and methods of control of communicable diseases as published in an official report of the American Public Health Association, "Control of Communicable Diseases in Man", 1955, are adopted and promulgated by the State Board of Health as the rules and regulations for the control of communicable disease in South Carolina, except as otherwise provided. The term "contagious disease" in these Rules and Regulations refers to any communicable disease that is easily transmitted by direct contact or by droplet infection from person to person or from animal to person.

Section 8. Smallpox Vaccination.

All persons within the State of South Carolina, who do not reside within the limits or jurisdiction of an incorporated city or town, or who reside within the limits or jurisdiction of an incorporated city or town which has not complied with the requirements of Section 32-571 of the Code of Laws of South Carolina, 1952, except persons who obtain a certificate from a reputable medical physician stating that vaccination against smallpox would be dangerous to their health, shall be vaccinated or revaccinated during their first, sixth, and fifteenth years of age. All persons who have never been vaccinated, or shall be exposed, or are likely to become exposed to smallpox, shall be vaccinated forthwith.

Section 9. Placards shall not be destroyed or removed.

No person or persons shall alter, deface, remove, destroy or tear down any card posted by any health authority. The occupant or person having possession or control of buildings or premises upon which a quarantine or other health notice has been placed shall, within twenty-four hours after destruction or removal of such by other than the proper authorities, notify the local health authority of such destruction or removal.

Section 10. Health authorities are to assume control of quarantine, isolation and other control measures.

In all cities, towns and counties the local health authorities shall assume control and management of communicable diseases and exposures and shall see that isolation and control measures as herein provided are carried out in their respective jurisdictions. It shall be the duty of the proper health authority to institute proper methods and control and to so placard or otherwise guard the premises in a manner which in his opinion is necessary to protect the public health.

Section 11. Health authorities may pass through quarantine lines.

All health authorities shall have the privilege and shall be allowed to pass through all quarantine lines, whether instituted at the instance of the State or local authorities, they first acquainting the officers or guards with the fact of their being properly authorized health officers.

Section 12. Persons forbidden going to or leaving contagious disease premises.

After the house or premises containing a communicable disease is flagged or placarded, all persons except the attending physician, the authorized health officer and such other persons approved by the authorized health officer are forbidden coming in or leaving the premises except as herein-after provided for; and the carrying off or causing to be carried off of any object or material whereby such disease may be conveyed, is prohibited.

Section 13. Persons affected with or exposed to contagious diseases shall obey health authorities.

It shall be the duty of all persons affected with any contagious or infectious disease or who from exposure to contagion from such disease, may be liable to endanger others who may come in contact with them, to strictly observe such instructions as are given them by any health authority of the State in order to prevent the spread of such disease and it shall be lawful for such authorities to command any persons thus affected or exposed to infection to remain within designated premises for such length of time as herein provided for the several contagious and infectious diseases.

Section 14. Travel of persons with contagious diseases.

All persons having any communicable disease in a contagious stage are prohibited from riding upon any public vehicle or conveyance except upon written approval of the State Health Officer or his authorized agent. They are also prohibited from being upon public thoroughfares of the State except in private conveyance, which shall make no unnecessary stops between the point of departure and destination of the patient. They are prohibited from attending any public assemblages or public places.

Section 15. Children with contagious diseases shall not attend school.

No superintendent, principal, or teacher of any school; and no parent, master or guardian of any child or minor shall permit any such child or minor having any contagious or infectious disease requiring isolation or any other disease in a communicable stage but not requiring isolation to attend any private, parochial, church or Sunday school until the requirements of these rules and regulations as to the disease or diseases in question have been complied with after recovery of such child or minor. They shall not be permitted to enter school except upon the written certificate or acknowledged telephone call of the attending physician or of the local health officer stating that the child has recovered and is non-infectious.

Section 16. Superintendents of schools to be notified of contagious disease.

The local health authority shall notify the superintendent or principal of any school of the locations of quarantinable diseases, and if the superintendent or principal finds any attendance in school from such places except as strictly provided for herein, he shall deny them admission to the said school, and admit them only upon the written certificate or acknowledged telephone call of the attending physician or local health authority that there is no danger of infection from them.

Section 17. Household contacts of contagious disease in relation to school attendance.

Children coming from a house in which contagious disease exists, but not suffering from said contagious disease, may attend school upon the written certificate of the attending physician, or local health authority, stating that the child has not been exposed to the disease for maximum incubation of the disease, and that the patient is in isolation; or that they are immune to the disease and are not carriers of said disease.

Section 18. Persons with trachoma or acute infectious conjunctivitis excluded from school.

Persons afflicted with trachoma, granulated lids or acute infectious conjunctivitis shall be excluded from schools, public assemblages and from close association with other individuals, unless they are under the constant care and strict supervision of a competent medical physician, and hold a certificate from said physician stating that active inflammation has subsided and that danger of infection no longer exists.

Section 19. Minor diseases to be excluded from school.

Those actually suffering from acute tonsilitis, scabies, lice, ringworm and impetigo contagiosa shall be excluded from school during such illness and be readmitted only on the certificate or acknowledged telephone call of the attending physician or local health authority, attesting to their recovery and non-infectiousness.

Section 20. Health authorities to investigate reported cases.

Whenever the local health authority is informed or has reason to suspect that there is a case of contagious communicable disease within his territory, he shall immediately examine into the facts of the case and shall perform or require such examinations and tests as may be necessary to determine

the contagiousness of the disease and shall adopt the methods of control applicable to such disease and necessary for the prevention of spread of the disease.

Section 21. Premises occupied by persons with contagious diseases to be rendered non-infectious.

No person shall offer for hire or cause or permit anyone to occupy premises, houses or apartments previously occupied by a person ill with any contagious or infectious communicable disease, or any other disease of communicable nature until such premises, houses or apartments shall have been rendered non-infectious according to the rules herein provided under the supervision of the local health authority.

Section 22. Premises not rendered non-infectious shall be placarded.

Whenever these rules and regulations, or whenever the order of the local health authority requiring the disinfection or fumigation of apartments, premises, or articles shall not be complied with, or in case of delay, the local health authority shall forthwith cause to be placed upon the outside entrance or entrances a placard as follows:

"These apartments have been occupied by a patient or patients suffering with a contagious disease and they may have become infected. They must not be again occupied until my orders directing the renovation and disinfection of the same have been complied with. This notice must not be removed under penalty of law, except by an authorized official."

Section 23. Persons suffering from reportable diseases shall not work where food products are produced.

No person suffering with any reportable disease or who resides in a house in which there exists a case of smallpox, scarlet fever, dysentery, or typhoid fever shall work, or be permitted in or about any dairy or any establishment for the manufacture of food products until the local health authority has given such a person a written certificate to the effect that no danger to the public will result from his or her employ or presence in such establishment.

Section 24. These rules and regulations not to prevent local laws.

Nothing contained in these rules and regulations shall be construed to prevent any city, town or county from making such health laws as they may think necessary for the preservation of public health; provided that the said laws be not inconsistent with the laws as herein laid down by the state board of health. And it shall be the duty of the local health authority to at once furnish the state board of health with a copy of the proposed law or laws for the approval of the executive committee of the state board of health before they shall become law.

HIGHWAY DEPARTMENT**Motor Vehicle Driver's Licenses**

(Filed in the office of the Secretary of State June 25, 1959)

The 1952 Code, Volume 7, pages 695-696 contains Rules and Regulations governing Motor Vehicle Driver's Licenses.

These Rules and Regulations have been superseded by Act No. 255 of 1959, effective July 1, 1959.

Hilton Head Ferry

(Filed in the office of the Secretary of State June 25, 1959)

The 1958 Supplement to the 1952 Code contains Rules and Regulations governing the Hilton Head Ferry in Beaufort County.

This ferry has been replaced by a bridge constructed under the provisions of Act 267 of 1953.

INSURANCE COMMISSIONER

Promulgated under authority of Act No. 785 of 1952

Liquefied Petroleum Gases

(Filed in the office of the Secretary of State July 7, 1958)

The National Board of Fire Underwriters Pamphlet No. 58, dated June 1958, for the Storage and Handling of Liquefied Petroleum Gases is filed in the office of the Secretary of State. Those interested should refer to this copy.

Licensing of Agents and Division of Commission

(Filed in the office of the Secretary of State April 6, 1959)

Bulletin No. 62.

1. This Department confines licensing of Resident or Non-Resident Agents and Resident or Non-Resident Brokers to individuals and does not permit licensing of firms, companies, partnerships or corporations as an Agent or Broker. Some doubts appear to have arisen as to the correctness of our position in the matter. Attorney General's Opinion No. 568 dated January 10, 1959, sustains our position.

2. The effect of the restriction set forth in above paragraph as related to the provisions of Section 254 of Title 37 of the South Carolina Code prohibits firms, companies, partnerships or corporations from participating in any insurance commissions. This is sustained by Attorney General's Opinion No. 573 dated March 26, 1959.

3. **Therefore, notice is hereby given** that violation of conditions or requirements hereinbefore set forth will be subject to citation of insurance company or agent or broker involved to show cause why license should not be revoked and to assessment of such penalties as are prescribed by law.

NURSING, STATE BOARD OF

Promulgated under authority of Section 56-967, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State June 30, 1959)

Effective July 1, 1959, unless Otherwise Indicated

**Regulation No. 1—Responsibilities of the State Board of Nursing for South
Carolina.**

The State Board of Nursing is designated by law as the administrator of the Act governing nursing in South Carolina, and it is delegated by Section 56-967 of the S. C. Code of 1952 as amended by Act 170 of 1959 to make such rules and regulations as it may deem necessary for purposes of carrying out provisions of the Act. The Board delegates functions in order to carry out its tasks, and outlines its specific responsibilities to include but which are not limited to the following.

1.1. Maintaining an office for the purpose of carrying on its work, and providing funds, facilities, and equipment for its operation.

1.2. Appointing an executive director, fixing her compensation, defining her duties, and allocating positions for other office and professional personnel.

1.3. Delegating to the executive director responsibility for overall management of the work of the Board.

1.4. Establishing policies governing conditions of employment of personnel.

1.5. Establishing policies governing finances, and providing for an annual audit of the financial affairs of the Board.

1.6. Approving annually a budget of expenditures necessary for carrying on the work.

1.7. Hearing financial reports and progress reports of the work.

1.8. Preparing, reviewing, and administering examinations leading to license.

1.9. Meeting at least once a year and as often as necessary in Columbia for the purpose of examining applicants for certificates as registered nurse and as licensed practical nurse, and for the transaction of other business that may come before it.

1.10. Setting standards and policies for accreditation of schools of nursing and courses in practical nursing.

1.11. Giving educational guidance to schools of nursing and courses in practical nursing.

1.12. Hearing reports of surveys of schools of nursing and courses in practical nursing, ruling on the status of accreditation of such schools and courses, and evaluating applications from institutions wishing to initiate schools or courses.

1.13. Maintaining legal records and a file of all nurses who have been licensed to practice as registered nurses or as licensed practical nurses.

1.14. Establishing policies for issuing certificates as registered nurse and as licensed practical nurse by examination and endorsement.

1.15. Cooperating with nursing and related organizations and health agencies for the promotion of good standards of nursing education and nursing care in the state.

1.16. Investigating cases of violation of the Act governing nursing, conducting hearings, and ruling on the revocation, suspension, or restoration of a license to practice.

1.17. Electing annually a president and a secretary-treasurer from the nurse members of the Board, and appointing committees as necessary.

Regulation No. 2—The Executive Director and Secretary-Treasurer Responsible for Finances, Expenditures Approved by President of Board (56-970).

2.1. The executive director is authorized to sign and issue checks for expenses of conducting the work of the Board, such checks to be drawn from funds held in the current operating account. In the event of absence of the executive director or inability to sign, the treasurer may sign checks for necessary payments of items of expense.

2.2. Funds shall be deposited in a bank designated by the Board, and the investment of funds shall be determined by the Board. Any changes in investments shall require the signatures of either the executive director and the treasurer or the president of the Board and the treasurer.

2.3. All disbursements from the funds of the Board shall have the approval of its president.

Regulation No. 3—Traveling Expenses and per Diem.

3.1. The per diem allowance for a board member engaged in the duties of his office shall be \$10.00; and the travel allowance when traveling by personal car shall be seven cents per mile.

3.2. The executive director and other professional employees are allowed necessary expenses incurred in the performance of their duties, and seven cents per mile when traveling by personal car away from city of residence.

Regulation No. 4—Code of Conduct.

4.1. The State Board of Nursing accepts the code of ethics for professional nurses and the code of ethics for practical nurses as guides for standards of practice exemplifying conduct expected of professional nurses and practical nurses registered and licensed under the Act, however without limiting the definitions of such practice to the terms of such codes.

4.2. A Code for Professional Nurses, adopted 1950 by the South Carolina State Nurses' Association:

Professional nurses minister to the sick, assume responsibility for creating a physical, social, and spiritual environment which will be conducive to recovery, and stress the prevention of illness and the promotion of health by teaching and example. They render health service to the

individual, the family, and community, and coordinate their services with members of other health professions involved in specific situations.

Service to mankind is the primary function of nurses and the reason for existence of the nursing profession. Need for nursing service is universal. Professional nursing service is therefore unrestricted by considerations of nationality, race, creed, or color.

Inherent in the code is the fundamental concept that the nurse subscribes to the democratic values to which our country is committed.

With reference to the following statements, the profession recognizes that a professional code cannot cover in detail all the activities and relationships of nurses, some of which are conditioned by personal philosophies and beliefs.

a. The fundamental responsibility of the nurse is to conserve life and to promote health.

b. The professional nurse must not only be adequately prepared to practice, but can maintain professional status only by continued reading, study, observation, and investigation.

c. When a patient requires continuous nursing service, the nurse must remain with the patient until assured that adequate relief is available.

d. The religious beliefs of a patient must be respected.

e. Professional nurses hold in confidence all personal information entrusted to them.

f. A nurse recommends or gives medical treatment without medical orders only in emergencies and reports such action to a physician at the earliest possible moment.

g. The nurse is obligated to carry out the physician's orders intelligently, to avoid misunderstanding or inaccuracies by verifying orders, and to refuse to participate in unethical procedures.

h. The nurse sustains confidence in the physician and other members of the health team; incompetency or unethical conduct of associates in the health professions should be exposed, but only to the proper authority.

i. The nurse has an obligation to give conscientious service and in return is entitled to just remuneration.

j. A nurse accepts only such compensation as the contract, actual or implied, provides. A professional worker does not accept tips or bribes.

k. Professional nurses do not permit their names to be used in connection with testimonials in the advertisement of products.

l. The Golden Rule should guide the nurse in relationships with members of the other professions and with nursing associates.

m. The nurse in private life adheres to standards of personal ethics which reflect credit upon the profession.

n. In personal conduct nurses should not knowingly disregard the accepted pattern of behavior of the community in which they live and work.

o. The nurse as a citizen understands and upholds the laws and as a professional worker is especially concerned with those laws which affect the practice of medicine and nursing.

p. A nurse should participate and share responsibility with other citizens and health professions in promoting efforts to meet the health needs of the public—local, state, national, and international.

q. A nurse recognizes and performs the duties of citizenship, such as voting and holding office when eligible; these duties include an appreciation of the social, economic, and political factors which develop a desirable pattern of living together in a community.

4.3. A Code for Practical Nurses, adopted 1956, by the Association of Licensed Practical Nurses of South Carolina, Inc.

- a. To maintain high standards of integrity and character.
- b. To be loyal to supervisors and faithful to patients.
- c. To keep abreast of the advances and changes in practical nursing by study and observation.
- d. To respect religious beliefs of patients.
- e. To hold in confidence all information entrusted to one.
- f. To perform all duties to the best of one's ability and with the patient's interest and welfare in mind at all times.
- g. To accept compensation approved, and not to bow to bribes of any kind.
- h. To intelligently fulfill the orders of the physician or the registered nurse in charge.
- i. To participate in activities promoting better health needs of the public.
- j. To perform duties as an L.P.N. with respect and consideration for one's fellow nurse, as one would wish in return.

Regulation No. 5—Nursing as Defined by the Board Includes Professional and Practical Nursing:

5.1. Professional Nursing: The practice of professional nursing means the performance for compensation of any act in the observation, care, and counsel of the ill, injured, or infirm, or in the maintenance of health or prevention of illness of others, or in the supervision and teaching of other personnel, or the administration of medications and treatments as prescribed by a licensed physician or licensed dentist; requiring substantial specialized judgment and skill as based on knowledge and application of the principles of biological, physical, and social sciences. The foregoing shall not be deemed to include acts of diagnosis or prescription or therapeutic or corrective measures.

5.2. Practical Nursing: The practice of practical nursing means the performance for compensation of selected acts in the care of the ill, injured, or infirm under the direction of a registered professional nurse, a licensed physician or a licensed dentist; and not requiring the substantial specialized skill, judgment, and knowledge required in professional nursing. The foregoing shall not be deemed to include acts of diagnosis or prescription or therapeutic or corrective measures.

Regulation No. 6—Explantation of Terms Used:

The State Board of Nursing for South Carolina is hereinafter referred to as the "Board". The word "Nursing" means professional nursing and/or practical nursing. "Registrant" applies to professional nurse certification; and "Licensee" applies to practical nurse certification. The Board issues a certificate as "Registered Nurse", and a certificate as "Licensed Practical Nurse".

Regulation No. 7—Fees:

Fees to be paid by applicants for certificate as registered nurse or as licensed practical nurse under provisions of Section 56-983, 56-985, 56-994, 56-995, 56-1003, and 56-1005, and other fees under Section 56-967 shall be amounts as shown on the following schedule effective July 1, 1959.

7.1. Application for certificate as registered nurse by examination .	\$ 25.00
7.2. Application for certificate as registered nurse by endorsement .	25.00
7.3. Application for re-examination for certificate as registered nurse	25.00
7.4. Certificate of renewal of license to practice as a registered nurse, annual fee	3.00
7.5. Reinstatement of lapsed certificate of renewal of license to practice as a registered nurse	5.00
(Reinstatement fee, \$5.00 plus current renewal fee \$3.00—Total \$8.00)	
7.6. Application for certificate as licensed practical nurse by examination	15.00
7.7. Application for certificate as licensed practical nurse by endorsement	15.00
7.8. Application for re-examination for certificate as licensed practical nurse ..	15.00
7.9. Certificate of renewal of license to practice as a licensed practical nurse, annual fee	3.00
7.10. Reinstatement of lapsed certificate of renewal of license to practice as a licensed practical nurse	5.00
(Reinstatement fee, \$5.00 plus current renewal fee \$3.00—Total \$8.00)	
7.11. Duplicate record per page	1.00
7.12. No refund of fees will be made.	

Regulation No. 8—Recording Name of Registrant or Licensee:

An individual is issued a certificate in his legal name as verified. Should the name be changed after the certificate has been issued, a notification of the change must be accompanied by a copy of the document which shows authorization for the change. No name can be changed on a record in the office of the Board without legal authorization for the change.

Regulation No. 9—Duplicate of a Certificate of Renewal of License:

A duplicate of a certificate of renewal of license issued by this Board may be secured by a registrant or licensee upon submission of a fee and a written statement of reason for the request. which reason proves satis-

factory to the Board. Adequate identification of the person requesting the duplicate shall be submitted.

Regulation No. 10—Certificates Issued:

The Board issues two types of certificates which certify proof of demonstrated ability to practice nursing: A certificate as registered nurse is issued to a graduate of an accredited school of nursing; and a certificate as licensed practical nurse is issued to a graduate of an accredited or approved course in practical nursing. Each such certificate is issued on a basis of verification of required qualifications and successful achievement on a recognized licensing examination for each type of certificate.

Regulation No. 11—Examinations Leading to Certificate as Registered Nurse and as Licensed Practical Nurse. (56-982, 56-983, 56-992, 56-993, and 56-1003.)

11.1. Examinations for certificate as registered nurse and as licensed practical nurse are held in Columbia in the fall of the year, and at other times as necessary. A standard score of not less than 350 on each test included in the examination is required for passing and for qualifying for a certificate.

11.2. Examinations leading to the certificate as registered nurse are based upon information and judgment needed in nursing situations, and candidates are examined also on the social, physical, and biological sciences as they apply to medical, surgical, obstetric, and psychiatric nursing and nursing of children. Only those candidates who have completed an approved program of instruction and concurrent experience in psychiatric nursing are eligible to write the test in this subject area.

11.3. Requirements for admission to the examination leading to a certificate as registered nurse include:

a. A notarized application on a form provided by the Board. Applications for the examination must be filed not later than twenty-one days prior to the scheduled date of an examination. An individual completing the program within the twenty-one-day period after the deadline for filing application, shall file as directed, and on the date that the program is completed, the school submits a supplemental record showing work completed during this period.

b. Two photographs 1½" x 2" signed and dated.

c. An application fee of \$25.00.

d. Age—at least twenty years (Filing of birth certificate required).

e. Citizens of the United States or legal declaration of intention of becoming a citizen. A naturalized citizen or non-citizen is required to produce proof of citizenship or first papers.

f. Good physical and mental health.

g. Good moral character.

h. Graduation from an accredited high school or the equivalent as determined by the Board.

i. Completion of all requirements of and graduation from an accredited school of nursing.

11.4. Examinations leading to certificate as licensed practical nurse are based upon information and judgment expected of the practical nurse in nursing situations, and candidates are examined on any or all phases of the instructional and supervised practice program completed in an approved course in practical nursing.

11.5. Requirements for admission to the examination leading to a certificate as licensed practical nurse include:

a. A notarized application on form provided by the Board. Applications must be filed not later than twenty-one days prior to the scheduled date of an examination. An individual completing the program within the twenty-one day period after the deadline for filing application shall file application as directed, and on the date that the program is completed, the head of the practical nursing course will submit a supplemental record showing work completed during this period.

b. Two photographs, size 1½" x 2", signed and dated.

c. An application fee of \$15.00.

d. Age—at least twenty years (Filing of birth certificate required).

e. Citizens of the United States or legal declaration of becoming a citizen. A naturalized citizen or non-citizen is required to produce proof of citizenship or first papers.

f. Good physical and mental health.

g. Good moral character.

h. Two years or more of work in an accredited high school, or the equivalent as determined by the Board on a basis of results of standardized tests.

i. Graduation from an accredited course in practical nursing, or the equivalent as determined by the Board.

11.6. In case of failure to pass an examination the applicant shall have the privilege of re-examination upon application and on payment of the fee as stated in Regulation No. 7.

a. A candidate failing to attain a standard score of 350 or above on any one of the tests in the examination has not qualified for a certificate, and to do so must rewrite and pass the test or tests failed.

b. One who has failed to pass the licensing examination should file with the Board the application and fee for rewriting the examination upon receipt of the report of failure to pass.

c. One who has failed to pass the licensing examination may secure added experience and pursue study in the area(s) and subject(s) failed, and thus prepare to rewrite test(s) that she failed to pass.

d. An applicant who has not rewritten and passed an examination failed prior to January 1, 1954 is required to write all tests in the examination currently in use at the time of rewriting.

Regulation No. 12—Application for Certificate—Registrant and Licensee from Other Jurisdiction (56-967, 56-981, 56-986, 56-995).

12.1. An applicant for certificate as registered nurse or as licensed practical nurse without examination, who holds a certificate for practice

in another jurisdiction in this country must show that requirements of this Board are met. Requirements for such certificate include:

- a. A notarized application on form provided by this Board.
- b. Two photographs, size 1½" x 2", signed and dated.
- c. An application fee—registered nurse, \$25.00; licensed practical nurse, \$15.00.

- d. Age, at least twenty years.

- e. Citizen of the United States or legal declaration of intention of becoming a citizen. A naturalized citizen or non-citizen must produce proof of citizenship or first papers.

- f. Good physical and mental health.

- g. Good moral character.

- h. Graduate of a school of nursing or course in practical nursing accredited by the accrediting authority of state in which located. General education and education for nursing is judged to be at a level required of graduates of schools of nursing or courses in practical nursing who are candidates for certificates. Records submitted with the application are evaluated on a basis of requirements of the State Board of Nursing for South Carolina in effect at the time of the applicant's registration in the other jurisdiction, and on a basis of experiences of the applicant since that time as related to present day requirements.

- i. Verification of authorization to practice as a registered nurse or as a licensed practical nurse in another jurisdiction, and that a certificate has been issued on a basis of a recognized licensing examination. A registrant or licensee, authorized as such later than December 31, 1957, must have attained a standard score of not less than 350 of each test included in the licensing examination. Tests on which scores fell below 350 must be rewritten and passed in order for the applicant to qualify for a certificate.

12.2. An applicant for certificate as registered nurse or as licensed practical nurse who holds a certificate for practice in a jurisdiction outside of the continental United States must show that requirements of this Board are met. Requirements for such certificate include:

- a. A notarized application on form provided by the Board.
- b. Two photographs, size 1½" x 2", signed and dated.
- c. An application fee—registered nurse, \$25.00; licensed practical nurse, \$15.00.

- d. Age, at least twenty years.

- e. Citizen of the United States or legal declaration of intention of becoming a citizen. Naturalized citizens or non-citizens must produce proof of citizenship or first papers.

- f. Good physical and mental health.

- g. Good moral character.

- h. General education and education for nursing at a level required of graduates of schools of nursing and of courses for practical nursing in South Carolina who are candidates for certificates. This includes facility in reading, writing, and speaking the English language; and skills and knowledge in current concepts and practices of nursing. An applicant whose preparation for nursing was secured outside of this country, and

whose qualifications have been judged as satisfactory with the exception of those related to education for nursing, may qualify for a certificate by completing a supplemental course as prescribed by the Board to be covered in an accredited school of nursing or an accredited course in practical nursing, and upon completion of the course, writing the licensing examination. An applicant who is a graduate of a school or course of special excellence, and who has written and passed State Board Test Pool Examinations with no standard score less than 350 may not be required to take the supplemental course or to write the licensing examination.

i. Verification of authorization to practice as a registered nurse or as a licensed practical nurse or comparable title.

12.3. An applicant for certificate as registered nurse or as a licensed practical nurse who has qualified to write the licensing examination in another jurisdiction and whose individual qualifications meet requirements of this Board, may be admitted to the licensing examination in this state provided requirements outlined under Regulations 11.3 and 11.5 are met.

Regulation No. 13—Temporary Permit:

An applicant for certificate as registered nurse, or as licensed practical nurse whose preliminary credentials have been approved and whose fee has been paid, may request a permit to practice nursing temporarily as prescribed (56-967).

13.1. A candidate for certificate as registered nurse or as licensed practical nurse by examination, who applies to write the examination for the first time, pays the fee, and whose credentials have been judged as satisfactory, may obtain a permit to practice nursing pending receipt of results of the examination for which the application was made.

13.2. An applicant who has not qualified for a certificate by failing to pass the licensing examination is not eligible for permit to practice nursing. She may apply to write the test(s) failed, and while awaiting the next scheduled examination she may secure added experience and pursue study in the area(s) of the examination that she failed.

13.3. An applicant for a certificate as registered nurse or as a licensed practical nurse without examination (Refer to Regulation No. 12) who has filed application, paid the fee, and has produced statement of authorization to practice in another jurisdiction, may be issued a permit to practice nursing in South Carolina pending completion and approval of application. A permit so issued shall authorize practice in the state without privilege of title or the use of abbreviation after name, and shall not exceed eight weeks.

Regulation No. 14—Annual renewal of license is required of registrants and Licensees who practice as registered nurses and as licensed practical nurses (15-1005).

14.1. Active status means the status with the Board of a registrant or licensee who has renewed her license for the current year. The annual renewal period conforms to the calendar year, and all renewal applications with fees should be filed on or before December 31. For those nurses who

find it impossible to renew prior to this date, a period of grace which extends to February 28 is allowed. Failure to either renew the registration or license on or before February 28 subjects the individual to payment of the reinstatement fee plus the renewal fee for the current year. This is required for the registrant or licensee to bring her registration or license to active status with the Board. (Refer to Regulation No. 6, Fees).

Regulation No. 15—Inactive status may be requested by those who retire from nursing or leave the state (15-1006).

15.1. Inactive status may be requested by a registrant or licensee who holds a current renewal certificate, and who retires from nursing or leaves the state. A registrant or licensee requesting inactive status must fill in a form provided by the Board giving full information regarding reason for the request. When the Board determines that the request is valid, the individual is so notified and her name is placed on the inactive list. While retaining inactive status the nurse is not subject to payment of renewal fees and shall not practice nursing in South Carolina. Should she desire to return to the practice of nursing in the state, she must return the notice of inactive status, make application for a renewal certificate, and submit the renewal fee for the current year.

Regulation No. 16—The State Board of Nursing may revoke or suspend license for cause (56-1004).

16.1. Reports of violations of the Act by registrants or licensees are investigated by the Board. When an investigation indicates that there is cause for revocation or suspension of a license, the registrant or licensee is given due notice and fair opportunity for hearing. Subject on appeal to review by courts of the state, the Board by majority vote, on a basis of evidence which shows proof of guilt, may suspend or revoke a license. Just cause for revocation or suspension may be:

- a. Felony.
- b. Gross immorality.
- c. Addiction to alcohol or drugs, and/or violation of the Federal or state laws or municipal ordinance relating to narcotic drugs.
- d. Violation of standards of professional practice. (Refer to Regulation 5.1, 5.2, 4.2 and 4.3 for definitions of standards of professional practice.)

Regulation No. 17—Unlicensed practice (56-953, 56-981, 56-991).

17.1. A registrant or licensee found guilty of any one of the following acts shall, subject to the court, be fined any sum not less than one hundred dollars nor more than two hundred dollars or imprisoned for a period of not less than thirty days nor more than ninety days, or both at the discretion of the court.

a. The practice of nursing as a registered nurse or as a licensed practical nurse in South Carolina without a certificate issued by the State Board of Nursing.

b. Failure to renew certificate of license to practice as required by the statute, 56-1005, and to practice as a registered nurse or as a licensed practical nurse during the time that the license has lapsed.

c. The use of the abbreviation "R.N." or the abbreviation "L.P.N." after her name unless authorized by the Board so to do.

d. The use of such title, abbreviation, sign, card, or other device to indicate such person has authorization to such practice unless authorized so to do by this Board under provisions of the law governing nursing in South Carolina.

Regulation No. 18—Procedure for the Survey and Accreditation of Programs of Education for Nursing (56-1011, 56-1013, 56-1014, 56-1016, 56-1017, 56-1018).

Explanation of Terms: Education for nursing may be centered in a hospital, a university or college; and for practical nursing, in a hospital or the public school system. For purposes of outlining survey and accreditation procedure, the term, "Educational Unit in Nursing" is used to apply to any one or all of the various types of programs. The State Board of Nursing for South Carolina is designated by law as the accrediting agency for programs in nursing and therefore the term "Accreditation" as here used means state accreditation.

18.1. Definition of an Accredited Educational Unit in Nursing: An accredited educational unit in nursing is one that has been evaluated and, on a basis of the appraisal, has been judged by the State Board of Nursing as one which is meeting requirements of the statute and regulations of the State Board of Nursing.

18.2. Purpose of Accreditation: The purpose of the accreditation process is to assist educational units in nursing to attain excellence in their programs of preparation of individuals for the practice of nursing, and to designate to the public those schools and courses which give evidence of preparation of competent practitioners and which merit recognition of the Board.

18.3. Method of Approach: The accreditation procedure is designed with an objective of helping educational units in nursing to plan and evaluate their own resources, goals, progress, and methods of operation. The State Board of Nursing judges an educational unit on the basis of the competence of its faculty, its methods of self-evaluation, its accomplishments to date, its present degree of excellence, the use that it is making of resources, and potentialities for further development.

18.4. Faculty Evaluation: The faculty should from time to time, at regular intervals, assess the program in light of objectives that it has agreed upon. What evidence is there that:

a. The stated purpose of the educational unit is a worthy and realistic one?

b. The program of instruction is geared toward fulfillment of the stated purpose?

c. The faculty as a group and as individuals are in accord with the stated philosophy?

d. Each member of the faculty is fitted professionally and personally to perform functions that have been defined for her?

e. Each member of the faculty is prepared and willing to play her role in evaluating and developing further the needed improvements in the educational program?

f. Students selected for admission to the educational unit in nursing possess demonstrated ability and a level of maturity necessary to carry successfully the educational program that has been designed for them?

g. The general and clinical facilities are suitable for a dynamic educational program in nursing, and that proper use is made of resources?

h. Graduates of the educational unit in nursing are gainfully employed in positions in which they are making a worthwhile contribution, and from which they are deriving satisfaction?

18.5. Survey: The survey of the educational unit in nursing is an evaluation tool which operates throughout the year, and the process includes the collection and interpretation of data, consultation and, observations and information at the time of the annual visit. The visitor reviews the data with administrative officers of the educational unit at the time of the visit, and later presents information in summary form to the State Board of Nursing for its appraisal. Visits may be made at times other than annually either upon request of the unit or as the need may arise.

18.6. Status Assigned to an Educational Unit in Nursing: The Accredited status assigned may be **Accreditation**, **Initial Accreditation**, or **Conditional Accreditation**.

a. **Accreditation**: When in the opinion of the State Board of Nursing, based upon data presented, reviewed and evaluated, the unit is operating in accordance with standards established by the Board, the unit is assigned a status of **Accreditation** and the name is placed on the list published by the Board.

b. **Conditional Accreditation**: When deficiencies are found in an established program of education for nursing, its resources, or operational policies, the institution is so informed and this information constitutes a warning. A stated period of time is then given the educational unit in which to correct the defects which have been pointed out. The period of time designated is determined on a basis of the nature and seriousness of the defect. When standards are not raised in accordance with requirements of the Board within the period of time stated, the unit is then assigned a status of **Conditional Accreditation** and so listed. A unit assigned this status is allowed a period of time up to one year from the date of notification in which to elevate its standards to a level acceptable to the Board. Should this not be accomplished within the year, the name of the educational unit in nursing is then removed from the accredited list published by the Board. When an educational unit has been designated as conditionally accredited, approval for further admission of students to the unit is denied until such time as it may produce evidence that there is a reasonable chance for the correction of deficiencies before the end of the designated period. After an educational unit has been either warned or notified of a change in accreditation status, the authorities of the controlling institution have full privilege of appearing before the Board and stating their position.

c. **Initial Accreditation:** An institution desiring to develop an educational unit in nursing must first request advice of the State Board of Nursing in regard to basic essentials for developing and operating such a unit. A representative of the Board will then visit the institution and appraise its resources in relation to a program of nursing. When on a basis of information presented and reviewed by the Board, it has determined that the situation is appropriate for the establishment of a sound educational unit in nursing, the institution is so advised and is furnished with forms on which to make application for permission to start an educational unit in nursing. A status of **Initial Accreditation** is then assigned to the unit and it is so listed. This status is continued while there is evidence of sound operation and growth for a length of time sufficient to give assurance of a secure and educationally sound development. At a time determined by the Board, the unit is advised that it may make application for full accreditation.

Regulation No. 19—Basic Standards to be met by an Educational Unit in Nursing Accreditation by the State Board of Nursing for South Carolina.

19.1. A sound organizational structure and good administrative practices.

19.2. Financial resources sufficient to give assurance of stability of program, educational resources, and qualified administrative and instructional personnel.

19.3. The controlling institution is fully accredited by the appropriate approving agency: a hospital licensed by the Hospital Licensing Division of the State Board of Health of South Carolina, and accredited by the Joint Commission on Accreditation of Hospitals; a college or university approved by the Southern Association of Colleges and Secondary Schools; and a public school system approved by the South Carolina State Department of Education to offer a program in practical nursing.

19.4. A sound educational philosophy stated in terms which express convictions of the controlling authority and the faculty of the educational unit in regard to the need for high standards of practice and for high standards or preparation for the practice of nursing.

19.5. A definitive statement of purpose.

19.6. A curriculum built upon sound educational principles, one which reflects the stated philosophy and purpose of the educational unit regarding sound preparation for nursing, and which assures an appropriate balance of classwork and nursing practice throughout the program.

19.7. Sound methods and systematic practices of evaluating success of the educational program in terms of its stated purposes.

19.8. Established policies regulating the grading system, testing program, class and experience attendance, promotion, and graduation.

19.9. A faculty organization which functions in accordance with rules which provide regular meetings and committee activity directed toward advancing the aims of the educational unit in nursing.

19.10. Faculty members with preparation for teaching in areas in which they are employed to function, and sufficient in number appropriate to the design of the program and the size of student enrollment.

19.11. Employment conditions and aids to faculty growth which are in line with current practices.

19.12. Written job descriptions for instructional personnel which show evidence of activities appropriate to good teaching in the classroom and in the clinical nursing practice situation.

19.13. Standards for the admission of students which include a testing program and selective devices which give assurance of a choice of students appropriate to the requirements of the educational program.

19.14. A program of student guidance and personnel practices which permit a balance of class work, study, clinical experience, recreation, and rest.

19.15. Where dormitories are provided, housing facilities and their supervision are conducive to health, recreation, and gracious living.

19.16. Offices, class rooms, laboratories, and library are properly located, and are adequate in furnishings and resources for the size of the educational unit and type of program.

19.17. Hospital and agency resources where student experiences are secured are such that nursing service practices and physical facilities are conducive to good learning experiences in nursing.

Regulation No. 20—Approval for Change in Program Required:

No statement contained in Regulation No. 18 or 19, or subheadings therein, is to be interpreted to mean that any educational unit in nursing (school of nursing or course in practical nursing) in existence at the time these regulations become effective, or thereafter, has permission to change the length, design or pattern of its present program as approved by this Board. Should an educational unit desire to change the length, design or pattern of its program, the administrative authority of the unit must first submit a written detailed description of the proposed plan to the State Board of Nursing for its evaluation. The unit must secure the approval of the State Board of Nursing for the change before it is put into operation. In order to secure approval for the change as referred to, the unit should present data based upon principles of sound education for nursing which gives full justification for the change.

Regulation No. 21—Experimental Programs:

The State Board of Nursing is interested in experimentation which is directed toward finding ways of improving instructional methods, general administrative practices, and other phases of the program of education for nursing. An educational unit in nursing wishing to conduct an experiment of this nature must proceed in accordance with the following steps.

21.1. Consult a representative of the State Board of Nursing for a discussion of ideas that the faculty may have regarding the proposal to conduct an experimental program.

- 21.2. Prepare a written proposal including the following information:
- a. A clear statement of the objectives of the proposed project.
 - b. A statement giving information as to the name and qualifications of the person who will be responsible for the direction of the experimental process and its evaluation.
 - c. Give information as to the anticipated cost of the experiment, and the source of funds to be used.
 - d. Give evidence that the experiment will be conducted on a scientific basis with accurate and full recording and periodic reporting.
 - e. Give full information as to the evaluative methods to be used.
 - f. Include a statement of the estimated period of time needed to conduct and conclude the project.
- 21.3. The written proposal must be presented to the State Board of Nursing for its review and approval before such a proposed plan is activated.
- 21.4. Consult frequently with the State Board of Nursing and present periodic progress reports.
- 21.5. Present a detailed report of the experiment at its conclusion, such report to include a statement of the faculty regarding its opinion as to the value of the plan and its merits for continuation.
- 21.6. The State Board of Nursing will consider recommendations contained in the final report, and on a basis of all available information, will make a decision as to the worth of the plan for continuation.

PUBLIC SERVICE COMMISSION

Promulgated under authority of Sections 58-1401 through 58-1501 and 58-1536, Code of Laws of South Carolina, 1952

(Filed in the office of the Secretary of State January 29, 1959)

ORDER NO. 10874

December 10, 1958

IN RE: DOCKET NO. 10712—The matter of Rules and Regulations Governing the Operation of Motor Vehicles used in the Business of Transporting Persons or Property for Compensation Over the Public Highways of South Carolina.

It appearing that the Rules and Regulations Governing the Operation of Motor Vehicles Used in the Business of Transporting Persons or Property for Compensation over the Public Highways of South Carolina, as issued by the Commission under its Order No. 2547, November 20, 1940, and amendments thereto issued in connection with and under authority of Sections 8507—8530 of the Code of Laws of South Carolina, 1932, as amended, should be revised to meet changed conditions, therefore,

It is ordered: That the Rules and Regulations attached hereto and made a part hereof, and entitled: "Rules and Regulations Governing the Operation of Motor Vehicles Used in the Business of Transporting Persons or Property for Compensation over the Public Highways of South Carolina,

Revised", be and they are hereby approved, adopted and prescribed, effective February 1, 1959, and shall be observed by all carriers subject to the Motor Vehicle Carrier Law, Chapter 13, Sections 58-1401—58-1501, and Section 58-1536, Code of Laws of South Carolina, 1952, as amended.

It is further ordered: That the Rules and Regulations which were approved, adopted and prescribed November 20, 1940, to become effective January 1, 1941, shall remain in full force and effect pending the effectiveness of the Rules and Regulations hereby prescribed. And,

It is further ordered: That said Rules and Regulations approved, adopted and prescribed November 20, 1940, be and they are hereby vacated, effective February 1, 1959.

Rules and Regulations

Governing the Operation of Motor Vehicles Used in the Business of Transporting Persons or Property for Compensation Over the Public Highways of South Carolina Issued by the Public Service Commission (Order No. 10874—Docket No. 10712, December 10, 1958):

These rules and regulations shall be observed by all carriers subject to the Motor Vehicle Carrier Law, Chapter 13, Sections 58-1401—58-1501, and Section 58-1536, Code of Laws of South Carolina, 1952, as amended.

Section 1. Definitions

Rule 1. The term "Motor Vehicle Carrier Law" means Chapter 13, Sections 58-1401—58-1501, and Section 58-1536, Code of Laws of South Carolina, 1952, as directly amended by Act No. 824 of the Acts of 1956, and Act No. 373 of the Acts of 1957.

Rule 2. The term "State" means the State of South Carolina.

Rule 3. The term "Commission" means the Public Service Commission of South Carolina.

Rule 4. The term "Corporation" means a corporation, company, association, or joint stock association.

Rule 5. The term "person" means an individual, a firm or a copartnership.

Rule 6. The term "Motor vehicle carrier" means every corporation, or person, their lessees, trustees or receivers, owning, controlling, operating, or managing any motor-propelled vehicles not usually operated on or over rails used in the business of transporting persons or property for compensation over any improved public highway or streets as hereinafter defined, in this State.

Rule 7. The term "contract hauling", as used in Section 58-1417, is construed to mean the hauling of freight or property by means of motor vehicles over the public highways of this State for compensation outside the incorporated limits of cities or towns, under special contract made by a contract carrier as hereinafter defined with a single patron or shipper, not upon regular schedule or over regular route; the same to be a solid vehicle load movement for one shipper or patron only at any one time

and no further patronage to be received from any other patron until entire cargo already received is delivered.

Rule 8. The term "contract carrier" means any person, firm or corporation engaged in the business of contract hauling of freight or property for compensation upon the highways of this State under special arrangement made by contract with the patron or shipper, and who does not propose to operate upon a regular schedule or over a regular route, or to haul for more than one shipper or patron at any one time, and who will not solicit or receive any further patronage for that trip until the entire cargo received from such shipper has been delivered.

Rule 9. The term "solicit or receive patronage along the route" as used in Section 58-1417, means the asking for, or receiving of, any freight from any other patron after the one shipment is loaded until entire load is delivered; and no motor vehicle carrier operating under Certificate F shall have the right to receive any further patronage, after one shipment is received, for transportation on that vehicle until such shipment is delivered.

Rule 10. The term "carrying capacity" as used in Sections 58-1438 and 58-1439, in relation to Class D, E, and F Certificate holders, means the actual carrying capacity of the vehicles to be operated under such certificates, with, however, a thirty per cent overload allowance as provided in Section 58-1439.

Rule 11. The term "Certificate" means the certificate of public convenience and necessity authorized to be issued under the provisions of the Motor Vehicle Carrier Law as hereinbefore defined.

Rule 12. The term "Class A Certificate holder" means a motor vehicle carrier of passengers over regular routes and upon regular schedules as filed with and approved by the Commission, and commonly known as a common carrier.

Rule 13. The term "Class B Certificate holder" means a motor vehicle carrier of passengers over regular routes but not upon regular schedule.

Rule 14. The term "Class C Certificate holder" means a motor vehicle carrier of passengers not over regular routes or upon regular schedules, and who does not in any way solicit patronage outside of a radius of two miles of the corporate limits of the city in which he is licensed to do business, except upon such highways as are not served by a holder of Class A or B Certificate, and who does not solicit or receive patronage along the route outside of such two-mile radius.

Rule 15. The term "Class D Certificate holder" means a motor vehicle carrier of property over regular routes and upon regular schedules as filed with and approved by the Commission, commonly known as a common carrier. (See Rule No. 21.)

Rule 16. The term "Class E Certificate holder" means a motor vehicle carrier of property not upon any particular route or schedule, and who is commonly known as an irregular route common carrier.

Rule 17. The term "Class F Certificate holder" means a motor vehicle carrier of property under contract as filed with and approved by the

Commission, and limited to not more than three such contracts, and who will operate over irregular routes upon irregular schedules, and who will not solicit or receive patronage along the route. (See Rules 7, 8 and 9.)

Rule 18. The term "public highway" when used herein, means every road or highway in the State which is, or may hereafter be declared to be, a part of the State Highway System or any county highway system, or the streets of any city or town.

Rule 19. The term "commodities in general", when used in the Motor Vehicle Carrier Law of this state and the rules and regulations issued thereunder, does not include **petroleum products in bulk in tank trucks, high explosives and other dangerous commodities, and household goods as defined in motor freight tariff 8-A, S. C. P. S. C.—MF No. 26, and supplements and/or reissues.**

Rule 20. The proviso under Section 58-1404, as amended, provided that nothing contained in said section means that nothing in the said section shall apply to farmers or dairymen who occasionally, but do not regularly as a part of an established business, haul farm and/or dairy products for others for hire, but that persons who may also be engaged in part in farming operations but who make a regular business of transporting farm and/or dairy or other products for others for hire are not to be deemed farmers or dairymen for the purpose of this law, and, hence, are required to comply with this chapter of the Code in all respects like other persons engaged in motor transportation for hire.

Rule 21. The provision of Section 58-1415 of the Code that "the Commission shall have power to grant a Certificate D for property carrying vehicles which will operate upon regular routes and schedules", insofar as it relates to the term "regular schedules" is construed to mean that where motor freight operators operate between fixed termini daily or upon fixed days, but who may not leave the termini at the same time daily nor at the same time upon such fixed days, they are to be deemed operating upon regular schedule for the purpose of this chapter of the Code, and, hence, are required to comply with it in all respects like other persons engaged in motor transportation of freight for hire over regular routes on regular schedules.

Section 2. Application for Certificates

Rule 22. Motor vehicle carriers desiring to operate in this State shall file with the Commission on forms to be furnished by the Commission application for a certificate of public convenience and necessity so to do.

Rule 23. Application for Class A Certificates shall be accompanied by:

(a) One copy of tariff naming rates and fares with rules and regulations governing same on forms to be furnished or approved by the Commission.

(b) One copy of time schedule on forms to be furnished or approved by the Commission.

(c) One copy of proposed route in detail over highways, roads, and streets on forms to be furnished by the Commission.

(d) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 24. Application for Class B Certificates shall be accompanied by:

(a) One copy of tariff naming rates and fares with rules and regulations governing same on forms to be furnished or approved by the Commission.

(b) One copy of proposed route or routes in detail over highways, roads and streets on forms to be furnished by the Commission.

(c) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 25. Applications for Class C Certificates shall be accompanied by:

(a) One copy of tariff naming rates and fares with rules and regulations governing same on forms to be furnished or approved by the Commission.

(b) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 26. Applications for Class D Certificates shall be accompanied by:

(a) One copy of time schedules on forms to be furnished or approved by the Commission.

(b) One copy of proposed route in detail over highways, roads and streets on forms to be furnished by the Commission.

(c) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 27. Applications for Class E Certificates shall be accompanied by:

(a) One copy of Exhibit C, clearly describing the commodities to be hauled and the territory sought to be served.

(b) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 28. Applications for Class F Certificates shall be accompanied by:

(a) Two copies of each contract, completely filled out and properly executed.

(b) Any other exhibits that might assist the Commission in determining the reasonableness of the application.

Rule 29. All exhibits or papers submitted must be plainly written on one side of the paper only, size of paper to be not smaller than 8½ x 11 inches, and the same shall be considered a part of the application.

Rule 30. Applications for Class A, B, D, or E Certificates shall be accompanied by a certified check in the amount of \$50.00 payable to the Commission to guarantee, first, the applicant's appearance at the public hearing to be held in connection with his application, and to guarantee the inauguration of satisfactory service in the event such application is approved, check to be forfeited in the event either of these requirements is not complied with; otherwise, the amount of such check to be returned to the applicant.

Rule 31. Applicants for Class A, B, D, or E Certificates of Public Convenience and Necessity shall have notice of hearing on such applications published in one newspaper of each county into or through which the proposed service would operate at least fifteen days before the date of such hearing, such notice to be in the form of the Commission's notice of such hearing to affected parties, and the affidavit of the publisher of such newspaper giving date of publication of notice shall be filed with the

Commission by the applicant at the beginning of such hearing or prior thereto.

Rule 32. No service shall be inaugurated under Certificates as issued by the Commission within thirty days after the granting of such Certificates unless there shall have been no objection to the granting of such Certificate at the hearing held thereon. In the event there is no objection to the granting of the Certificate, the service shall be inaugurated within thirty days after the granting of such Certificate or the holder thereof shall show good and sufficient cause to the Commission why the same is not done; otherwise, the Certificate shall be revoked.

Section 3. Certificates and Annual Reports

Rule 33. Certificates of public convenience and necessity will not be issued to two or more persons operating under a trade name, unless organized in a manner that will definitely fix responsibility.

Rule 34. Any certificate to operate a motor propelled vehicle for the transportation of persons or property, either or both, for compensation, obtained upon any application by any false affidavit or representation shall be subject to revocation and cancellation by the Commission.

Rule 35. Every motor vehicle carrier shall keep on file in its main office, subject to inspection by the Commission, a daily record of all vehicles used, including vehicles substituted, showing:

1. Complete description of each vehicle used.
2. Number of trips and to what points each of said vehicles were operated.

Rule 36. Every motor vehicle carrier shall file with the Commission on or before March 31st of each year on forms prescribed and furnished by the Commission an annual report for the preceding calendar year.

Rule 37. No Certificate or rights thereunder shall be sold, assigned, leased, transferred, mortgaged, pledged, or hypothecated, by the sale of stock or otherwise, unless first authorized by the Commission. Application for such sale or transfer must be made on forms prescribed and furnished by the Commission, and no sale or transfer of any Certificate heretofore issued by this Commission will be approved unless and until all license fees due for operations under such Certificate shall have been paid to the Commission and all liens or other encumbrances authorized by the Commission shall have been paid, and provided that every authority to encumber or hypothecate a Certificate shall be subject to any accrued and unpaid license fees.

Rule 38. In case of change of ownership or control of the motor vehicle carrier's property, facilities and services of any motor vehicle carrier or when its name is changed, the individual, firm, association or corporation which takes over such property and facilities, and which will thereafter perform such service, if it desires to use the time schedules, time tables, distance tables and tariffs of the former owner, shall in addition to complying with the provisions of Rule 37 of the rules, file with the Commission and post in its principal office and at each station or regular

stopping place along its route an adoption notice in substantially the following form, size of paper to be not smaller than 8½ x 11 inches:

ADOPTION NOTICE

_____ hereby adopts, ratifies, and makes
_____ own in every respect as if the same had
been originally filed and posted _____ all tariffs
and supplements thereto, time schedules and supplements, provisions au-
thorized, powers of attorney, or other instruments whatsoever filed with
the Commission by _____ whose certificate of public
convenience and necessity No. _____ Issued _____
Effective _____ Issued by _____

Section 4. Tariff Naming Rates and Fares with Rules and Regulations

Passenger Tariffs

Rule 39. Copies of tariffs naming rates and fares to be charged, together with rules and regulations, if any, governing same shall be kept open for public inspection by every motor vehicle carrier at its principal office and at the terminus of each route or routes and at the principal station or stations thereon. Tariffs naming passenger rates must be posted in a conspicuous place in every motor vehicle and at places regularly used for loading and unloading along the line or route.

Rule 40. Passenger tariffs must contain fixed rules and regulations, if any, which govern the tariff in clear and explicit terms, setting forth:

1. All privileges of stop-overs, extension of time limit, restrictions outlined in certificate, refund for unused and partly used tickets, children's fares, baggage rules, excess baggage rates, etc.

2. Rates from or to intermediate points not named in tariff will be the same as the rates from or to the next more distant point named.

3. Full explanation of reference marks and technical abbreviations used in tariff.

4. Adult fares definitely and specifically stated in cents or dollars and cents per passenger, together with the names of the stations or stopping places from and to which they apply arranged in a simple and systematic manner.

5. Location of stopping point in each terminal municipality.

6. Commutation rates by ticket or otherwise if any.

Rule 41. No motor vehicle carrier, operating under a Class A Certificate as issued by the Commission shall enter into any inter-line ticket agreement whereby passengers may be transported over two or more lines with equal or greater distance for less than the established fare over the direct route or operation.

Rule 42. The maximum minimum bus fares in South Carolina shall not exceed twenty-five cents for distances not exceeding ten miles.

Rule 43. Changes in tariffs or any rule or regulation governing same must be as follows:

1. A new tariff must be issued bearing the next consecutive P. S. C. S. C. number and shall show reference to the tariff cancelled as follows: P. S. C. S. C. No. 2 cancels P. S. C. S. C. No. 1.

2. Tariff publications and supplements thereto (except temporary round trip excursion fares), must indicate increases and reductions made in existing rates, fares, rules or regulations by prefixing to same the following symbols:

I to indicate **increase**.

R to indicate reductions.

Clear explanation of these symbols must be shown in the tariff.

3. Two copies of such tariffs must be filed with the Commission and notice must be given to the public by posting copies in a conspicuous place at each station or stopping place affected at least thirty days before the effective date thereof.

4. After such thirty days' notice, the tariff will be considered in full force and effect unless ordered withdrawn, modified or suspended.

5. The Commission may, on its own motion or on the filing of a sufficient protest by any person or persons affected, order such tariff withdrawn, modified or suspended.

Rule 44. (Applicable to both passenger and freight tariffs.) No motor vehicle carrier shall charge, demand, collect, or receive a greater or less, or different, compensation for the transportation of persons or property, or for any services in connection therewith, than the rates, fares and charges applicable to such motor vehicle carrier as specified in its tariffs filed and in effect at the time, nor shall any motor vehicle carrier refund or remit in any manner or by any device any portion of the rates, fares or charges so specified, except upon an order of permission from the Commission, nor extend to any corporation or person any privileges or facilities in the transportation of persons or property except such as are regularly and uniformly extended to all corporations and persons. Provided, motor bus operators in the State may grant to regularly ordained ministers of the gospel clergy rates over their lines.

Rule 45. No motor vehicle carrier shall pay any commission to any individual, firm, association or corporation, their lessees, trustees or receivers, for the sale of any ticket or fare unless upon contract or agreement in writing between the parties previously filed with and approved by the Commission.

Rule 46. Freight tariffs shall be filed in accordance with Order No. 2527, as amended.

Section 5. Time Schedules—Rules and Regulations

Rule 47. Time schedules must be made up as follows:

1. Time schedules must be numbered consecutively in the upper right-hand corner, beginning with No. 1, and must show the number of the time schedule cancelled thereby, if any.

2. Name of the motor vehicle carrier. (If the motor vehicle carrier is not an incorporated company and a trade name is used, the names

of the individuals composing such motor vehicle carrier must precede such trade name.)

3. The termini or points between which the time schedules apply briefly stated.

4. Date issued and date effective.

Rule 48. Time schedules must show:

1. The time of arrival and departure at and from all termini.
2. The time of departure from intermediate points between termini.
3. The distance between all points shown in the schedule.

Rule 49. At least one copy of such time schedule shall be posted in a conspicuous place, easily accessible for public inspection at each station or regular stopping place on the line or route, and a copy shall be in possession of each operator or driver.

Rule 50. Time schedules filed with the Commission and posted for the information of the public must be adhered to.

Rule 51. Changes in time schedules affecting the time of arrival or departure of any motor vehicle at or from any station or stopping place on its line or route, or which will effect an increase or a reduction in the number of motor vehicles operated over any scheduled line or route, or which will effect an increase or a reduction in the amount of passenger service rendered in any terminal, station or intermediate point must be made as follows:

1. A new time schedule must be issued bearing the next consecutive number and shall show reference to number of time schedule cancelled thereby as follows: TIME SCHEDULE NO. 2 CANCELS TIME SCHEDULE NO. 1.

2. Two copies of the proposed time schedule shall be filed with the Commission, accompanied by copies of the notice as published in connection therewith and hereafter required, and notice given to the public by posting a copy in a conspicuous place in each station, and by publishing notice of such proposed change in at least one newspaper in each county, in, into, or through which the service will operate thirty days prior to the effective date of such change, and any objection to the said change in schedule shall be filed with the Commission fifteen days prior to the effective date of the said change.

3. After such thirty days' notice, such time schedule will be considered in full force and effect unless ordered withdrawn, modified or suspended.

4. The Commission may, on its own motion, or on the filing of a sufficient protest of any person or persons affected, order such time schedule withdrawn, modified or suspended.

Rule 52. Time schedules as proposed by operators are approved by the Commission upon representation of the operators involved that the operation of such schedules may be made without violating the law of the State as to speed limits.

Rule 53. All interruptions of regular service where such interruptions are likely to continue for more than twenty-four hours shall be promptly reported in writing to the Commission and to the public along the route

with full statement of the cause of such interruption and its probable duration.

Rule 54. Discontinuance of service for a period of three consecutive days without authority of the Commission may be deemed a forfeiture of all rights secured under and by virtue of any order or permission to operate issued by the Commission.

Rule 55. No motor vehicle carrier shall voluntarily discontinue the service called for under certificate and time schedule filed thereunder without first having given to the Commission and to the public at least ten days' notice, in writing, of the intention to discontinue such service and having secured from the Commission permission so to do.

Section 6. Insurance—Surety Bonds—C. O. D. Bonds

Rule 56. Every applicant for a license shall before such license is issued, and before any operation, file with the Commission public liability and property damage insurance policy, Certificate of Insurance or surety bond with a company authorized to do business in South Carolina covering each motor vehicle used or to be used by the applicant.

Rule 57. Each policy or bond issued under the provisions of Section 58-1481, South Carolina Code, 1952, as amended, and this section, shall carry the following endorsement:

ENDORSEMENT FOR MOTOR VEHICLE CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY AND PROPERTY DAMAGE UNDER SECTION 58-1481, SOUTH CAROLINA CODE, 1952, AS AMENDED: The policy to which this endorsement is attached is an automobile liability policy and is hereby amended to assure compliance by the insured as a motor carrier of passengers or property, with Section 58-1481 of the South Carolina Code of 1952, as amended, and the Rules and Regulations of The Public Service Commission. In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay any final judgment recovered against the insured for bodily injury to or the death of any person or loss of or damage to property of others (excluding injury to or death of insured's employees while engaged in the course of their employment, and loss of or damage to property of the insured, and property transported by the insured designated as cargo), resulting from the negligent operation, maintenance, or use of motor vehicles under certificate of public convenience and necessity issued to the insured by The Public Service Commission or otherwise under Sections 58-1401—58-1501 of the South Carolina Code of Laws, 1952, and amendments thereto, within the limits of liability hereinafter provided, regardless of whether such motor vehicles are specifically described in the policy or not. It is understood and agreed that upon failure of the Company to pay any such final judgment recovered against the insured, the judgment creditor may maintain an action in any court of competent jurisdiction against the Company to compel such payment. The bankruptcy or insolvency of the insured shall not relieve the Company of any of its obligations hereunder.

The liability of the Company extends to such losses, damages, injuries, or deaths whether occurring on the route or in the territory authorized to be served by the insured, or elsewhere in the State of South Carolina.

The liability of the Company on each motor vehicle for the following limits shall be a continuing one notwithstanding any recovery hereunder:

Schedule of Minimum Limits

Motor Carriers (1)	Bodily Injury Liability (2)	(3)	Property Damage Liability (4)
Kind of Equipment	Limit for bodily injuries to or death of one person	Limit for bodily injuries to or death of all persons injured or killed in any one accident (subject to a maximum of \$10,000.00 for bodily injuries to or death of one person)	Limit for loss or damage in any one accident to property of others (ex- cluding cargo)
Passenger equipment (seating capacity) Classes A and B, and Class C for vehicles with seating capacity of over 5 passengers:			
7 passengers or less	\$ 10,000.00	\$ 30,000.00	\$ 5,000.00
8 to 12 passengers, inclusive	10,000.00	40,000.00	5,000.00
13 to 20 passengers, inclusive	10,000.00	60,000.00	5,000.00
21 to 30 passengers, inclusive	10,000.00	80,000.00	5,000.00
31 passengers or more	10,000.00	100,000.00	5,000.00
Class C, not over 5 passengers ..	10,000.00	20,000.00	5,000.00
Freight equipment (all motor vehicles used in the transportation of property) Classes D, E and F	10,000.00	20,000.00	5,000.00

Nothing contained in the policy or any other endorsement thereon, nor the violation of any of the provisions of the policy or of any endorsement thereon by the insured, shall relieve the Company from liability hereunder or from the payment of any such final judgment.

The insured agrees to reimburse the Company for any payment made by the Company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the Company would not have been obligated to make under the provision of the policy, except for the agreement contained in this endorsement.

This endorsement may not be cancelled or its terms or conditions altered, amended or otherwise changed in any particular without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the insured giving thirty (30) days' notice in writing to The Public Service Commission of South Carolina, at its office in Columbia, South Carolina, copy of such cancellation notice to be given to the insured or the Company as the case may be, said thirty (30) days' notice to commence to run from the date notice is actually received at the office of said Commission.

Attached to and forming part of Policy No. _____ issued by the
_____ (herein called the Company) of _____
to _____ of _____
Dated at _____ this _____ day of _____, 19____
Countersigned by _____
Authorized Company Representative.
Title _____

Rule 58. Certificates of Public Liability and Property Damage Insurance made up in triplicate, original and second copy white, first copy light green, size 5" x 8", may be accepted in lieu of such insurance policies when filed in triplicate as follows:

**MOTOR CARRIER AUTOMOBILE BODILY INJURY LIABILITY
AND PROPERTY DAMAGE LIABILITY CERTIFICATE OF
INSURANCE**

Filed With
THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
Columbia, South Carolina
(Executed in Triplicate)

To be sent to
THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
Columbia, S. C.

Received and accepted for filing: Date _____

THIS IS TO CERTIFY, That the _____

(Name of Company)

(hereinafter called Company) of _____

(Home office address of Company)

has issued to _____

(Name of Motor Carrier) _____ (Address of Motor Carrier)

the policy of Automobile Bodily Injury Liability and Property Damage Liability Insurance herein described which, by the attachment of the South Carolina endorsement, approved by The Public Service Commission of South Carolina on June 24, 1953, has been amended to provide the coverage or security for the protection of the public required with respect to the operation, maintenance or use of motor vehicles under certificate of public convenience and necessity or permit issued to the Insured by The Public Service Commission of South Carolina or otherwise under Section 58-1401—58-1501 of the South Carolina Code of Laws, 1952, and amendments thereto, and the pertinent rules and regulations of The Public Service Commission of South Carolina regardless of whether such motor vehicles are specifically described in the policy or not. The liability of the Company extends to all losses, damages, injuries, or deaths whether occurring on the route or in the territory authorized to be served by the Insured or elsewhere within the State of South Carolina.

Whenever requested by the Commission, the Company agrees to furnish to the Commission a duplicate original of said policy and all endorsements thereon.

The endorsement described herein shall not expire or be cancelled without expiration or cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the Insured giving thirty (30) days' notice in writing to The Public Service Commission of South Carolina at its offices in Columbia, South Carolina, said thirty (30) days' notice to commence to run from the date notice is actually received at the offices of said Commission.

Policy No. _____

Effective from _____ to _____

(12:01 a. m., standard time at the address of the Insured
as stated in said policy)

Countersigned at _____ this _____ day of _____, 19____

Authorized Company Representative

Rule 59. Every applicant for a Class D or E license shall before such license is issued, and before any operation, procure and file with the Commission a cargo insurance policy with a company authorized to do business in South Carolina covering cargo of each motor vehicle used or to be used by the applicant.

Rule 60. Each cargo policy issued under the provisions of Section 58-1481, South Carolina Code, 1952, as amended, and this section, shall carry the following endorsement:

**ENDORSEMENT FOR MOTOR VEHICLE CARRIER POLICIES
OF INSURANCE FOR CARGO LIABILITY UNDER SECTION
58-1481, SOUTH CAROLINA CODE, 1952, AS AMENDED:**

The policy to which this endorsement is attached is a cargo insurance policy, and is hereby amended to assure compliance by the Insured, as a common carrier of property by motor vehicles, with Section 58-1481 of the South Carolina Code of Laws, 1952, as amended, and the Rules and Regulations of The Public Service Commission, with reference to making compensation to shippers or consignees for all property belonging to shippers or consignees coming into the possession of such carrier in connection with its transportation service, and with the pertinent rules and regulations of The Public Service Commission.

In consideration of the premium stated in the policy to which this endorsement is attached, the Company hereby agrees to pay, within the limits of liability hereinafter provided, any shipper or consignee for all loss of or damage to all property belonging to such shipper or consignee, and coming into the possession of the Insured in connection with its transportation service, for which loss or damage the Insured may be held legally liable, regardless of whether the motor vehicles, terminals, warehouses, and other facilities used in connection with the transportation of the property hereby insured are specifically described in the policy or not. The liability of the Company extends to such losses or damages whether occurring on the route or in the territory authorized to be served by the Insured or elsewhere in South Carolina.

Within the limits of liability hereinafter provided it is further understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, or any other endorsement thereon or violation thereof, or of this endorsement by the Insured, shall affect in any way the right of any shipper or consignee, or relieve the Company from liability for the payment of any claim for which the Insured may be held legally liable to compensate shippers or consignees, irrespective of the financial responsibility or lack thereof or insolvency or bankruptcy of the Insured. However, all terms, conditions, and limitations in the policy to which this endorsement is attached are to remain in full force and effect as binding between the Insured and the Company. The Insured agrees to reimburse the Company for any payment made by the Company on account of any loss or damage involving a breach of the terms of the policy and for any payment that the Company would not have been obligated to make under the provisions of the policy, except for the agreement contained in this endorsement.

The liability of the Company for the limits provided in this endorsement shall be a continuing one notwithstanding any recovery hereunder. The Company shall not be liable for an amount in excess of \$2,000.00, in respect to any loss of or damage to or aggregate of losses or damages of or to the property hereby insured occurring at any one time and place, nor in any event for an amount in excess of \$1,000.00, in respect to the loss of or damage to such property carried on any one motor vehicle, whether or not such losses or damages occur while such property is on a motor vehicle or otherwise.

This endorsement may not be cancelled or its terms or conditions altered, amended or otherwise changed in any particular without cancellation of the policy to which it is attached. Such cancellation may be effected by the Company or the Insured giving thirty (30) days' notice in writing to The Public Service Commission at its office in Columbia, S. C., copy of such cancellation notice to be given to the Insured or the Company as the case may be, and said thirty (30) day's notice to commence to run from the date notice is actually received at the office of said commission.

Attached to and forming part of Policy No. _____ issued by the _____ (herein called the Company) of _____ to _____ of _____

Dated at _____ this _____ day of _____, 19____

Countersigned by _____

Authorized Company Representative.

Title _____

Rule 61. No motor vehicle carrier operating under the terms of Sections 58-1401 through 58-1501, and Section 58-1536, of the Code of Laws of South Carolina, 1952, as amended, shall accept for transportation and delivery any C.O.D. shipments until such motor vehicle carrier has filed with the Commission either cash bond or surety bond in the amount of \$1,000, such bond conditioned for the payment of C.O.D. shipments transported by such carrier within five days of delivery thereof.

Rule 62. Failure to file and keep all insurance or bonds, as required under this section, in full force and effect shall be cause for revocation of certificate and license.

Section 7. Operation

Rule 63. For the purpose of identification and information to the public, all motor vehicles, including substitute or emergency vehicles, while being operated under a certificate of public convenience and necessity, shall have displayed in such vehicles in a conspicuous place a permit furnished by the Commission, and shall have displayed on the rear of such vehicles the license plates as issued by the Public Service Commission.

Rule 64. In case a motor vehicle carrying passengers becomes disabled while en route and is unable to proceed, any passenger or passengers on such disabled vehicle shall have the privilege of proceeding upon any other passenger-carrying vehicle operating under a certificate from the Commission, on the same route or portion of route, and it shall be the duty of the driver of any such passenger-carrying vehicle to stop on signal and receive such passengers to the extent of the unoccupied seating capacity of such vehicle and carry the same to destination or as near destination as the route of the passing vehicle will permit. The motor-vehicle carrier whose passengers are thus relieved shall pay the second carrier a share of the transportation fee proportionate to the distance such passengers are transported by relieving carrier.

Rule 65. All motor vehicles shall be operated in accordance with the requirements of the State laws and no driver or operator thereof shall operate the same in any other than a careful and prudent manner, nor at any greater speed than is reasonable or proper, having due regard to the traffic and use of the way by others, or so as to endanger the life and limb of any person, and drivers of such vehicles shall give half of the road to an approaching vehicle, and shall stop, and not pass any school bus picking up or discharging passengers. When lights are in use, they shall be dimmed or deflected when approaching another vehicle from the front. (See Part 2, Commission's Safety Rules and Regulations.)

Rule 66. Drivers of motor vehicles shall be of good moral character, shall be fully competent to operate the vehicles under their charge, and shall hold a driver's license and a driver's permit as provided by State law. (See Safety Rules 1.1—1.32.)

Rule 67. No driver or operator of a motor vehicle shall drink any intoxicating liquor during the time he is on duty, or operate a motor vehicle while under the influence of intoxicants or narcotics, nor shall he receive fares or make change while vehicle is in motion. (See Safety Rules 1.1—1.32.)

Rule 68. No driver or operator of a motor vehicle used for the transportation of passengers shall permit on the front seat of such vehicle more than the number of persons for which originally designed.

Rule 69. Motor bus operators shall not permit motor buses used in inter-city service to leave terminal points in South Carolina with more than ten passengers standing, and no passenger shall be left in such terminal

point for later schedules. After leaving such terminal point such operators may permit additional passengers to be picked up and carried to destination or to the next terminal point, regardless of the number of standees this would cause, except that in no event shall such standees be permitted to stand anywhere that would obstruct the driver's clear view through the right front door; and, **Provided**, that on local bus lines of not over fifteen miles in length, the operators of such routes may permit standees on buses used in such service, regardless of the number, except that in no event shall passengers be permitted to stand anywhere that would obstruct the driver's clear view through the right front door. "Terminal points" as used herein means where reserve or stand-by equipment is maintained, or properly qualified equipment may be hired or otherwise obtained for transportation of overloads.

Rule 70. All bus operators operating in South Carolina are required to cause their buses to wait at least fifteen minutes for late connections if so much time be necessary.

Rule 71. Smoking in any motor bus operated in the State of South Carolina shall cease upon objection of any passenger.

Rule 72. No motor vehicle carrier controlling, operating, or managing any motor vehicle used in the transportation of persons or property shall allow any driver or operator of such motor vehicle to work as a driver or operator for more than a maximum of ten driving hours in any twenty-four hour period, and such driver or operator shall have at least eight consecutive hours' rest in every twenty-four hour period, and shall in no instance allow drivers in their employ to drive motor vehicles in their charge for more than sixty hours in any seven consecutive days. (See Safety Regulations, Part 5.)

Rule 73. A certificate of public convenience and necessity authorizing the transportation of property only does not authorize the transportation of persons. No motor vehicle carrier holding a certificate authorizing the transportation of property only shall transport persons either with or without compensation over a route or portion of route covered by a certificate authorizing the transportation of persons. (See Safety Rule 2.36.)

Rule 74. All drivers of motor buses in South Carolina, whether regular, extra, or the owner of the line, shall, while on such duty, wear a cap of military, or like, design, with a label on the front thereof showing the name of the operator and carrying an identifying number, such as:

"IMPERIAL BUS COMPANY NO. 1"

Rule 75. Except when specifically authorized by the Commission no motor vehicle used in the transportation of passengers shall be operated or driven with any trailer or any other vehicle attached thereto, except in case a vehicle becomes disabled while on a trip and is unable to run from its own power such disabled vehicle may be towed to the nearest available point where repair facilities are maintained.

Rule 76. Accidents arising from, or in connection with, the operation of motor vehicles used in the transportation of persons or property resulting in injury to any person or in damage to any property to an apparent ex-

tent of \$25.00 or more shall be immediately reported to the Commission in writing. (See Safety Rules 2.32 and 4.1—4.6.)

Rule 77. The amount of baggage that may be carried in a vehicle with passengers shall not be greater than can be safely and conveniently carried without causing discomfort to the passengers.

Rule 78. All bus operators operating in South Carolina shall provide an adequate system of checking baggage and shall check each piece of baggage transported by them and shall give the stub of such check to the owner of such baggage, except in the case of small pieces of baggage which are personally handled by the passengers themselves.

Rule 79. Subject to the conditions of Rules 77 and 78 of the Commission's Rules governing the operation of motor vehicle carriers in South Carolina, three pieces of hand baggage not to exceed a total weight of one hundred pounds, and not to exceed in value fifty dollars for each such piece of baggage, shall be checked and carried free of charge for each adult passenger. Baggage of additional weight and/or value shall be declared at the time of checking the same, and such excess baggage whether of weight or value, or both, shall be transported by the carrier at rates to be approved by the Commission.

Rule 80. No motor vehicle shall leave the terminus on any trip requiring travel after one-half hour after sunset, or before one-half hour before sunrise, unless its lighting system is in proper condition. Should the lighting system become defective or out of order, the vehicle shall be brought to a stop at a point off the line of travel of the roadway and shall not proceed until defect is remedied, or if unable to remedy operator may proceed to nearest place for repairs.

Rule 81. Any and all operators of for-hire vehicles, which ply the streets of any city or town, or who openly on the public highways of the State display a sign, flag, or any device which may call the attention of the public to the fact that they are in the transportation business, will be construed by the Commission as being in such business and as soliciting, and will be amenable to and will be required to comply with the Motor Vehicle Carrier Law.

Rule 82. Bus drivers and operators shall not use bus passenger waiting rooms as a loafing room while off duty, and such drivers and operators will use these waiting rooms only when necessary to properly conduct their business; and when in such rooms will conduct themselves in an orderly manner. In no instance shall such bus driver or operator smoke any cigar, cigarette, pipe, tobacco or other substance while in a bus passenger waiting room in South Carolina.

Rule 83. No Negro porter shall be allowed or permitted to take up tickets from passengers on motor buses operated within the State of South Carolina.

Section 8. Equipment

Rule 84. Every motor vehicle shall be maintained in a safe and sanitary condition at all times and shall be at all times subject to inspection by the Commission and its duly authorized representatives.

Rule 85. Every motor vehicle shall, when leaving a terminus, be equipped with at least one extra serviceable tire, capable of fitting each wheel.

Rule 86. Every motor vehicle shall be equipped with a standard speedometer which shall be maintained in good working order.

Rule 87. Every motor vehicle shall carry at all times at least two wheel chocks.

Rule 88. Every enclosed (bus) motor vehicle used in the transportation of passengers shall have an emergency door in the rear, or on the side of the vehicle at or near the rear, except such buses as are constructed in accordance with The Interstate Commerce Commission's Rules 193.61, 193.62 and 193.63.

Rule 89. Every bus shall carry at all times one metal first aid kit with supplies sufficient for ten injured persons. (See Safety Rule 3.492 B.)

Rule 90. Motor Vehicle Carrier vehicles when used for the transportation of explosives shall display the word "EXPLOSIVES" in letters not less than six inches high on the front, rear, and each side thereof. The ends and sides of such vehicles, when of the open body type, must be high enough to prevent packages of explosives from falling off, and in no event shall the explosives be loaded to within twelve inches of the top of the body of such vehicles, and the floor must be so tight that nothing can be passed through it. Any exposed metal on the sides of the body, liable to come in contact with explosives, must be covered or protected with wood or other non-metallic material. Such vehicles must be equipped with at least two fire extinguishers of standard make. No metal, metal tools, carbides, oils, matches, fire arms, electric storage batteries, inflammable substances, acids, oxidizing or corrosive compounds shall be carried in the bed or body of any such motor vehicle used for the transportation of explosives. Blasting caps or electric blasting caps must not be hauled on a vehicle containing other explosives. Explosives shall be transported only in trucks or semi-trailer trucks to which no trailers are attached. If the transportation of explosives is between the hours of sunset and sunrise the front and rear "EXPLOSIVES" sign must be illuminated. Explosives shall not be transported in any vehicle transporting passengers. (See Safety Rule 2.131.)

Rule 91. Every motor vehicle shall be equipped with (a) two stop lights on the rear, one at each side, and head lamps of the dual- or multiple-beam type. (b) Safety glass: where glass is used in windshields, windows, doors, et cetera, it shall be standard safety glass, approved by the American Standards Association; (c) brakes on all wheels, except any semi-trailer the gross weight of which does not exceed 3,000 pounds. (See Part 3 Commission's Safety Rules and Regulations.)

Section 9. Penalties and Cancellation

Rule 92. Failure on the part of any owner, driver or operator of a motor vehicle to comply with any rules and regulations of the Commission or requirements of Acts of the General Assembly of South Carolina now

or hereafter in force, will be sufficient cause for the Commission, in its discretion, to revoke his certificate, or permit.

Rule 93. The foregoing rules and regulations are for general application, and are subject to such changes and modifications as the Commission, from time to time, may determine advisable and also such exceptions as may be considered by the Commission as just and reasonable in individual cases.

PUBLIC WELFARE DEPARTMENT

Promulgated under authority of Act No. 659 of 1956

LICENSING DAY CARE FACILITIES AND NURSERIES

(Revised July 15, 1958)

(Filed in the office of the Secretary of State November 12, 1958)

These Rules and Regulations supersede those filed with the Secretary of State September 15, 1956 and amendments thereto filed July 30, 1957.

I. The Law

According to Act 659 enacted by the General Assembly of South Carolina in March, 1956, "Any agency, institution, or family home engaged in the business of receiving children for care and maintenance, either part time or full time, shall be classed a child welfare agency."

Exceptions are (1) the existing agencies operating under established religious denomination except as these agencies voluntarily assume the rights and obligations of this Act; (2) The Children's Bureau; (3) any children's home or institution to which state funds are appropriated.

Responsibility: "The Department of Public Welfare shall administer the provisions of this Act and shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of this Act."

Fee: Every child welfare agency shall pay an annual license fee of five dollars. This means that each child welfare agency receiving a license shall pay a fee and each foster family home operating independently or under the supervision of the Department of Public Welfare, or a licensed agency, whether for full time care of children, for day care or temporary care including any part of the day or night, shall pay an annual fee of five dollars, (\$5.00).

Revocation of License: The Department of Public Welfare may revoke the license of any child welfare agency which fails to maintain the proper standards of care and service to children in its charge or which violates any provision of this Act. No license shall be revoked or its renewal refused except upon thirty (30) days' written notice thereof. Upon appeal from such revocation or refusal to renew a license, the Department of Public Welfare shall after thirty (30) days' written notice thereof, hold a hearing at which time the family shall be given an opportunity to present testimony and confront witnesses.

Removal of a Child: "A licensed child welfare agency may place children in family homes for care, if authorized to do so by the Department of Public Welfare. Any child so placed may be taken from such family home when the child welfare agency responsible for his care is satisfied that the child's welfare requires such action."

Confidential Information: No officer, agent or employee of the Department of Public Welfare or day care facility or nursery "shall directly or indirectly disclose information learned about the children, their parents or relatives, or other persons having custody or control of them."

Penalties: Any person and any officer, agent or employee of the Department of Public Welfare or of a day care facility or nursery "who violates any of the provisions of this Act, or who shall intentionally make any false statement to the Department of Public Welfare shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court."

II. Definitions

"Minor children" for the purpose of these regulations shall mean children under the age of 18.

"Adult" shall mean a person 21 years or older.

"Infant" shall mean a child under two years of age.

"Day care facility" shall mean and include any agency, institution, center, home, day nursery, nursery school, play school, or other place, however styled and whether operated under public auspices or as a private business, in which are received for temporary custodial care apart from their parents, part of the day or all day and upon any number of successive days any two or more children not of common parentage; but the term does not include any facility of any agency to which State funds are appropriated, nor does it include any kindergarten or school which has as its primary function educational instruction and which operates (1) under the supervision of the State Board of Education or a County Board of Education, or (2) under a qualified teacher, or (3) less than four hours per day. Provided, however, that any kindergarten or school exempted under this provision may be licensed upon its voluntary agreement to subject itself to the terms and provision of the law relating to child welfare agencies (Section 71-240 to 71-240.8, inclusive, Code of Laws of South Carolina, 1952, as amended). Facilities owned and operated by established religious denominations may be included only if such facilities voluntarily assume the rights and obligations of the licensing Act.

A **"Nursery"** may mean or include any home, center, agency, school or place, however styled, where four or more children not of common parentage are received for care, apart from their parents whether for compensation, reward, or otherwise, during part or all the day or night and upon any number of successive days and nights.

A **"Foster family day care home"** (boarding home for day care) is one in which care is given for one or more children during the day only and who are returned to their own homes at night.

A "group day care home" is one which provides for the care and development of six or more children away from their own homes, for a period of four to twelve hours regularly during the day time.

III. Licensing

A. Requirements

1. Each day care facility or nursery shall be studied by a duly qualified representative of the Department of Public Welfare, or by a licensed child placing agency.

2. The license shall be renewed annually.

3. The license applies only to the facility at the time the approval for license is given and a change of address automatically cancels the license. It is necessary for a new license to be issued in order to continue to care for children. The responsible person should notify the State Department of Public Welfare or the County Welfare Department, of the change in address prior to the change. No additional fee is required for a change of license within the year for which the original license was issued.

4. The facility may not care for more children than the number given on the license. If additional space becomes available or other changes are made which indicate an increase in the license, the County Department may request the State Department of Public Welfare to increase the number of children to be cared for by the facility.

5. Any changes in the facility or its operation which affect the best interest of children under care shall be reported immediately to the County Department of Public Welfare or to the State Department.

B. Application for License

1. An application form supplied by the Department of Public Welfare shall be used for all day care facilities and nurseries. The application, signed by a responsible person who is to operate the facility or who is responsible for its operation, must be on file in the State Department before a license can be issued.

2. A recommendation for approval of a license shall be made by the County Department of Public Welfare in which the day care facility or nursery is located.

3. A fee of five dollars (\$5.00) for the license shall accompany the application.

C. The Licensing Procedure

1. Each application to conduct a day care facility or nursery will be studied by a representative of the Department of Public Welfare. The County Department making the study will send to the State Department of Public Welfare the signed application, including the recommendation of the agency, and the license fee of \$5.00.

2. Some definite action shall be taken on every application for a license.

3. A license shall be issued or denied on a basis of the review of a study and recommendation sent to the State Department by a County Department of Public Welfare.

4. The license which states the kind of day care facility or nursery, the number of children to be cared for at one time and the date on which the

license will expire will be mailed directly to the person signing the application of the day care facility or nursery. At the same time, notification that the license has been issued will be sent to the County Department.

D. License

1. The license is not transferable.
2. The license is valid for one year from the date issued and only if the facility remains at its same address.
3. Kinds of licenses:
 - a. **Standard License** is issued when a day care facility or nursery meets the rules and regulations for licensing day care facilities or nurseries.
 - b. **Provisional License** may be issued when a day care facility or nursery is meeting a real need but does not temporarily meet the rules and regulations of the Department. "Temporarily" implies that the condition can be corrected. A provisional license may be issued only two times. When such a license is in effect, the conditions which made it necessary shall be corrected.

E. Renewal of a License

A license to operate a day care facility or nursery must be renewed annually. This renewal will depend upon a yearly report sent to the State Department by the County Department which shall give an account of the development and use of the day care facility or nursery during the past year and shall be sent to the State Department a month before the expiration of the license. If, upon the review of the evaluation in the State Department, the day care facility or nursery meets the rules and regulations for licensing, the license will be renewed upon receipt of annual fee.

F. Denial of a License

The Department of Public Welfare may refuse to issue a license to operate a day care facility or nursery if the conditions are such that the rules and regulations relating to standards of day care facilities or nurseries cannot be met and it would be detrimental to the welfare of children to be placed or kept at the day care facility or nursery. This refusal is termed a denial. Any County Department recommending a denial of a license must send in writing specific examples to the State Department of the way in which the day care facility or nursery fails to meet the rules and regulations. The responsible person will be notified in writing by the State Department of the denial and the grounds for the action. It will be effective immediately on the date of notification.

G. Revocation of License

A license to care for children in a day care facility or nursery may be revoked by the State Department of Public Welfare if the facility fails to maintain proper standards of care and service to children. The County Departments should send to the State Department at any time, information including specific examples which might indicate that the regulations have been violated.

H. Appeal and Decision

Any day care facility or nursery which has received notice of denial or revocation of license may protest such action within thirty days of receipt

of notification. The protest must be in writing and addressed to the Director of the State Department of Public Welfare. A hearing shall be arranged by the Director and a decision based on the information presented at the hearing will be made.

I. Termination of License

A day care facility or nursery license is terminated when:

1. One year has elapsed since the date of issue.
2. The day care facility or nursery changes its address and moves to a new location during the current license year and fails to apply for a change in license.
3. An active license is voluntarily returned to the Department for cancellation, either directly or through an agency. (The fee will not be returned.)

J. Confidentiality of Records and Penalties

No officer, agent or employee of the Department of Public Welfare or day care facility or nursery "shall directly or indirectly disclose information learned about the children, their parents, or relatives or other persons having custody or control of them."

Any person and any officer, agent or employee of the Department of Public Welfare or of a day care facility or nursery "who violates any of the provisions of this Act, or who shall intentionally make any false statement to the Department of Public Welfare shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court."

IV. Rules and Regulations

A. Foster Family Day Care Homes and Group Day Care Homes

1. Number and Age of Children

a. The number and ages of children that may be cared for in a foster family day care home or a group day care home depend upon the facilities and space in the home, the skill of the foster mother, the amount of help she has, and the number of own pre-school children in the home. In foster family day care homes, however, the maximum number shall not exceed six. In a group day care home the maximum number shall not exceed fifteen.

2. Requirements of the Day Care Mother and Her Household

a. All members of the household must be in such physical and mental health as will not affect adversely either the health of the child or the quality and manner of his care. The family shall be willing to have this fact verified and shall submit statements signed by a duly licensed physician certifying that all members of the household are free from communicable and contagious diseases.

b. The day care mother shall be in good physical and mental health with no disqualifying handicap.

c. Relationships among members of the household shall be such that a wholesome atmosphere for the child will be assured. Marital relations and personal problems shall present no situation harmful to the interests of the children.

d. The day care mother shall be of suitable age and temperament to care for children; shall have knowledge of the needs of children; shall be capable of handling an emergency situation promptly and intelligently; and shall be willing to cooperate fully with the person or agency responsible for placing the child in the home.

e. The income shall not be wholly dependent upon the payments received for the child or children.

f. There shall be no adult roomers in the home without the knowledge and approval of the licensing agency.

g. A home shall not be licensed in which any member of the household is mentally ill or on convalescent status from a mental hospital without consultation with the proper authorities of the hospital.

h. A home shall not be licensed in which any member of the household is an inmate of a penal or correctional institution or on parole or probation without consultation with the proper probation and parole authorities.

3. Physical Plant and Equipment

a. The foster family day care home or group day care home shall be in a location offering wholesome influences.

b. A foster family day care or group day care home shall be safe, with adequate space, light, heat, ventilation, screening, and sanitary toilet facilities; be reasonably free of fire hazards and shall conform to the sanitary laws and ordinances of the State, County, City or Town in which it is located.

c. There shall be annual inspections and compliance with the recommendations made by such health authorities or fire authorities who are required or permitted to inspect and enforce health, sanitation, and fire regulations.

d. No basement room more than three feet below the surface shall be used for sleeping purposes. All rooms used for children shall have adequate sunlight and ventilation.

e. Outdoor and indoor play space shall be available and safe to the life and health of the children. It is desirable to have:

(1) Indoors: 35 square feet of floor space per child, exclusive of halls, baths, and kitchens.

(2) Outdoors:

(a) A minimum of 75 square feet per child.

(b) Both sunshine and shade available part of the morning and afternoon.

(c) Adequate protection from hazards, such as traffic, dangerous playthings, old refrigerators, etc.

(d) The playground shall be protected by a suitable fence.

f. There shall be adequate toilet and washroom facilities, easily accessible to playrooms and playground. These facilities shall meet the standards of the local health and sanitation authorities. Running hot and cold water shall be available in the home while children are under care.

g. An individual cot, bed, or suitable sleeping pad shall be provided for each pre-school child who is under care more than three hours. The sleeping equipment shall be kept in a clean and sanitary condition at all times.

h. There shall be proper provision for the care of perishable food, and for refrigeration.

i. Sufficient clothing for the children shall be provided by the parents or person responsible for the child to permit a change when necessary.

j. There shall be an adequate supply of safe play materials and equipment suitable to the ages of the children available for both indoor and outdoor activities.

k. If more than one child is in the home, the arrangement should be such as to permit temporary isolation in case of illness. The day care mother shall have information from the family of each child on the procedure to follow in case the child becomes ill in day care.

4. Care of the Child in Day Care

a. The children under care shall never be left without competent adult supervision.

b. Each child shall have a physical examination before he is accepted for care and evidence presented that he is free from communicable diseases. Inoculation against common childhood diseases shall be required except in a case where the physician considers it inadvisable.

c. The daily routine shall be planned to promote the development of good health habits. Provision shall be made for indoor and outdoor play, rest, and sleep.

d. Each child shall be provided with an individual towel, comb, and drinking cup unless disposable paper cups are used. Space for a child's clothing to be hung shall be available.

e. In the case of illness or an accident to a child, he shall be isolated promptly from the other children until arrangements can be made for his care elsewhere. Immediate notice shall be given to the person responsible for his care and in the meantime, adequate medical care shall be provided.

f. A full, balanced meal shall be served in the middle of the day and the diet shall be varied, adequate and wholesome. Food for infants shall be provided under the direction of a physician, clinic, or health department.

g. The day care mother and her assistants shall give guidance and control which is conducive to good mental, emotional, spiritual, and social adjustment. Severe or harsh punishment shall never be used.

5. Records and Reports

a. Sufficient records shall be kept to identify the children and to enable the day care mother to communicate with the parents or person responsible for the child either in their home or place of employment and, in an emergency with the family physician. This information shall include:

(1) Child's name, address, birthdate, and date of his acceptance and discharge.

(2) Full name of both parents, or person responsible for child, family's home address, work addresses, hours of work, and telephone numbers.

(3) Instructions for reaching the parents or relatives.

(4) Name, address, and telephone number of another person who might be reached in case of emergency.

(5) Name, address, and telephone number of family physician.

(6) The financial agreement with the parents, relatives, or others responsible, including the rate of pay for care.

(7) Accurate records of daily attendance of each child, including reason for absences.

(8) Careful record of all physical examinations and other matters relating to each child's health.

(9) Necessary bookkeeping records.

b. Annual reports shall be submitted to the State Department of Public Welfare on forms provided for that purpose.

B. Nurseries, day care center, play groups and other similar groups not included in the foster family day care or group day care homes, which may be operated in a private home, park or playground, separate building especially for that purpose or elsewhere.

The term, "facility", is used to designate any or all of these types of care.

1. Purpose

The objectives, purposes, or functions of a facility shall be clearly stated. The facility shall, in practice, offer the type of service or program it represents itself as providing.

2. Responsibility

a. If a governing body or board exists, it shall be responsible for the continuing operation and reputable conduct of the facility. The governing body is ultimately responsible for the conduct of the facility subject to licensing provisions.

b. If there is no governing body, one person designated as the director of the facility shall be responsible to the State Department for maintaining adequate standards for care of children and for proper conduct of the center.

3. Staff

a. The director shall be a mature, competent person, who is responsible and who has a knowledge of and sympathy for the needs of small children.

b. All members of the regularly employed staff shall be qualified adults of good character, who are mentally and physically able to provide good care for children, maintain responsible supervision and stimulate normal development appropriate for the children enrolled in it.

c. At all times, one adult shall be designated as being in charge.

d. At no time shall any children be without adult supervision.

e. It is desirable that there be at least one adult to every ten children with a minimum of two adults for any group, however small. Such persons shall have some knowledge of child care and training and a genuine liking for children.

f. The total number of staff shall be determined on the basis of the length of the care given each day, the program, and the physical facilities. A suggested ratio of adults to children when grouped by age follows:

Infants (under two years old)—one adult for 4-6 children.

Two year olds—one adult for 6-8 children.

Three year olds—one adult for 8-10 children.

Four year olds—one adult for 10-14 children.

Five year olds or over—one adult for 15 children.

g. All staff shall submit, before beginning work and annually thereafter, a physician's certificate stating that they are free from any illness which might conflict with the children's interests. The first certificate shall include a report of a serological test by an approved laboratory and of a chest X-ray which was interpreted as showing no evidence of active tuberculosis.

(1) Annual X-rays should be made and interpreted as showing no evidence of tuberculosis.

(2) Cooks, food handlers, janitors, maintenance staff, etc., shall secure a health card from the County Department of Health according to the requirements of the South Carolina State Board of Health.

h. If the facility is operated in a private home, every member of the household who is in contact with the children under care shall be expected to have the same physical examinations as are required of the staff.

4. Buildings, Grounds, and Equipment

a. **Location** shall be in a safe and convenient place which will be (1) usually on the first floor, (2) never above the second floor unless in a completely fireproof building, or (3) never in a basement room more than three feet below surface. Floor shall be damp-proof.

b. Building(s)

(1) Shall be suitable for the purpose intended: safe, sanitary, comfortable, with sufficient room and conducive to the normal development of the children under care.

(2) Shall be so constructed that it is dry; that windows and doors, stoves and pipes, are protected; that screening is provided; and that the floor is free from splinters, is easily cleaned.

(3) Stairs shall be equipped with guard rails and adequately lighted. When children under three are cared for upstairs, a gate must be provided at the head of each flight of stairs to which children have access.

(4) The facility shall not be overcrowded. Thirty-five square feet of space per child is desirable.

(5) The facility shall be free of fire hazards and shall conform to the sanitary laws and ordinances of the State, County, City, or Town in which it is located.

(6) There shall be annual inspections and compliance with the recommendations made by such health authorities or fire authorities who are required or permitted to inspect and enforce health, sanitation, and fire regulations.

(7) Rooms used by the children shall be comfortably heated in cold weather and provisions shall be made for keeping rooms cool in extremely hot weather. The rooms shall be free of dampness and have adequate ventilation.

(8) Sleeping rooms for children must have windows opening outdoors, providing good ventilation.

(9) Adequate natural and/or artificial light shall be provided.

(10) It is desirable that at least 300 cubic feet of air space per child indoors be available.

(11) There shall be adequate toilet and washroom facilities easily accessible to playrooms and playground.

(a) A desirable standard is one commode or other suitable facility for each eight children, and one lavatory or other suitable facility for every six children.

(b) Bathroom facilities shall be kept clean.

(c) Toilets shall be of the flush type unless the facility is located in a rural area, in which case toilets provided shall be approved by the State Department of Health (or County Department).

(12) If children are kept overnight, space shall be provided for the child to learn to care for his own clothing and personal belongings. This will require:

(a) Hooks that he can reach.

(b) Partitions to keep clothing separate.

(c) Space enough to allow him to learn to manipulate his outdoor clothing himself.

(d) Space for such additional clothing as is necessary.

(13) Space shall be provided for temporary isolation in case of illness.

c. Grounds

(1) The grounds and surroundings of the facility shall be free from litter, glass, rubbish, and inflammable material at all times.

(2) Outdoor play space shall be provided and

(a) A minimum of 75 square feet of space per child is desirable.

(b) Both sunshine and shade available part of the morning and afternoon.

(c) Adequate protection provided from hazards, such as traffic, dangerous playthings, old refrigerators, etc.

(d) The playground shall be protected by a suitable fence if in a location that requires it.

(e) Shall be properly drained.

d. Equipment

(1) Play equipment:

(a) Adequate play equipment shall be available, suitable to the age levels and abilities of the children under care, and providing for quiet and active play.

(b) The age levels and abilities of the children shall be considered in equipping outdoor areas.

(2) Equipment for routine procedures:

(a) Eating: If children are cared for in the facility during mealtime, provision shall be made for comfort during meals and for development of good food habits by making available tables and chairs of proper height and size.

(b) Sleeping: If age of child warrants it and if time spent in group is longer than three hours, there shall be space and equipment so that each child can secure adequate rest and develop good sleep habits. This usually means:

1. A washable cot, crib, bed or suitable sleeping pad for each child.
2. Sleeping garments.

3. Individual sheets.
4. Individual and adequate covers when covers are necessary.
5. Sanitary storage space for cots and equipment if a separate sleeping room is not provided.
6. Space to allow at least two feet on all sides of sleeping equipment, except where it is in contact with wall.

(c) Kitchen:

1. The kitchen shall be clean and equipped for proper preservation, storage, preparation, and serving of food.
2. Provision shall be made for proper cleansing and sterilization of dishes. Storage shall be provided so as to protect from dust, flies, vermin, rats, and other contamination.

5. Program

a. General

(1) The daily program of the facility shall provide constructive experiences for each child, through planned physical activity and creative play, allowing for both group activities and individual interests.

(2) Children shall not be subjected to harsh and unnecessary punishment.

b. Health

(1) Physical Examination

(a) Within 30 days before admission (preferably a week before admission), each child must be given a thorough physical examination by a competent physician or by the County Health Department.

(b) The physical examination shall indicate that there is freedom from communicable disease; no history of recent exposure to communicable disease, and that the child has been satisfactorily immunized or in the process of being immunized against smallpox, whooping cough, and diphtheria, unless there is a medical reason why these immunizations may not be done.

(c) Tuberculin tests and tetanus shots shall be given when indicated.

(d) If a child is absent five or more days from the facility because of illness requiring the care of a physician, the facility shall require a doctor's certificate before re-admission. In other instances, absences shall be explained in a written statement from the parent (or other person responsible for child).

(2) Provisions shall be made for prompt and proper first aid treatment, and for medical care, as required. The staff of the facility shall have a practical knowledge of first aid. Sufficient first aid supplies, including a clinical and/or rectal thermometer shall be kept on hand and available at all times.

(3) There shall be daily inspection of each child made before he joins the group to be sure that there is no evidence of illness or contagion.

(4) There shall be prompt isolation of any child showing signs of illness until arrangements can be made to send him home.

(5) Nutrition

(a) The children in a facility giving over night care shall have regular, planned meals and snacks, which are well balanced, appetizing, varied, and sufficient for their nutritional needs.

(b) There shall be spacing of mealtime so that in the 24 hours there are no unduly long periods without food.

(c) If children are cared for at least three hours, but not all day, provision shall be made for snacks and lunches.

(6) Rest: The children enrolled in a facility shall have sufficient supervised rest for their age and for the number of hours they spend at the program.

(7) Personal Hygiene

(a) Wet or soiled clothing shall be changed immediately.

(b) Face and hands shall be thoroughly washed before and after meals. Hands shall be washed after toileting.

(c) When toilet articles, such as combs, brushes, tooth brushes, towels, and wash cloths are used by the children in attendance, they shall be individually provided and plainly marked.

6. Records and Reports

a. Sufficient records shall be kept to identify the children and to enable the person in charge to communicate with the parents or person responsible for the child either in their home or place of employment and, in an emergency, with the family physician. This information shall include:

(1) Child's name, address, birthdate, and date of his acceptance and discharge.

(2) Full name of both parents, or person responsible for child, family's home address, work addresses, hours of work, and telephone numbers.

(3) Instructions for reaching the parents or relatives.

(4) Name, address, and telephone number of another person who might be reached in case of an emergency.

(5) Name, address, and telephone number of family physician.

(6) The financial agreement with the parents, relatives, or others responsible, including the rate of pay for care.

(7) Accurate records of daily attendance of each child, including reason for absences.

(8) Careful record of all physical examinations and other matters relating to the child's health.

(9) Necessary bookkeeping records.

b. Annual reports shall be submitted to the State Department of Public Welfare on forms provided for that purpose.

LICENSING CHILD WELFARE AGENCIES

(Filed in the office of the Secretary of State November 12, 1958)

These Rules and Regulations supersede those filed with the Secretary of State September 15, 1956.

GENERAL

I. The Law

According to Act 659 enacted by the General Assembly of South Carolina in March 1956 "Any agency, institution, or family home engaged in the business of receiving children for care and maintenance, either part time or full time, shall be classed a child welfare agency."

Exceptions are (1) the existing agencies operating under an established religious denomination except as these agencies voluntarily assume the rights and obligations of this Act; (2) The Children's Bureau; (3) any children's home or institution to which state funds are appropriated.

Responsibility: "The Department of Public Welfare shall administer the provisions of this Act and shall make and promulgate such rules and regulations relating to licensing standards and other matters as may be necessary to carry out the purposes of this Act."

Fee: Every child welfare agency shall pay an annual license fee of five dollars. This means that every child welfare agency receiving a license shall pay a fee and each foster family home operating independently or under the supervision of the Department of Public Welfare, or a licensed agency, whether for full time care of children, for day care or temporary care including any part of the day or night, shall pay an annual fee of five dollars.

Revocation of License: The Department of Public Welfare may revoke the license of any child welfare agency which fails to maintain the proper standards of care and service to children in its charge or which violates any provision of this Act. No License shall be revoked or its renewal refused except upon thirty (30) days' written notice thereof. Upon appeal from such revocation or refusal to renew a license, the Department of Public Welfare shall after thirty (30) days' written notice thereof, hold a hearing at which time the family shall be given an opportunity to present testimony and confront witnesses.

Removal of a Child: "A licensed child welfare agency may place children in family homes for care, if authorized to do so by the Department of Public Welfare. Any child so placed may be taken from such family home when the child welfare agency responsible for his care is satisfied that the child's welfare requires such action."

Confidential Information: "No officer, agent or employee of the Department of Public Welfare or child welfare agency (or foster family home) shall directly or indirectly disclose information learned about the children, their parents or relatives or other persons having custody or control of them."

Penalties: "Any person and any officer, agent or employee of the Department of Public Welfare or of a child welfare agency who violates any of the provisions of this Act, or who shall intentionally make any false statement to the Department of Public Welfare shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court."

II. Terms

The terms "agency" and "institution" used herein refer to "child placing agency" and "child caring institution." (An organization may be both a child caring institution and a child placing agency and licensed to carry on both types of work.)

"Department" refers to the State Department of Public Welfare.

"County Department" refers to a county department of public welfare.

III. Definitions

"Minor children" for the purpose of these regulations shall mean children under 18 years of age.

A **"Child Caring Institution"** is a child welfare agency organized for the purpose of receiving children for care, maintenance and supervision in a building or buildings maintained by the organization for that purpose.

A **"Child Placing Agency"** is a child welfare agency organized either wholly or in part for the purpose of receiving children for placement in foster family homes for care and/or for adoption.

A **"Foster Family Home"** is the home of a person or family group caring for a child or children either part or full time and not related to that person or family group by blood or marriage.

Types of Foster Homes:

Generally, foster family homes are classified as boarding homes, free homes, adoptive homes, work and wage homes. Boarding homes may include full or part time or day care homes or intermediate homes which are available to the agency at all times but not always in use.

A **foster family boarding home** is any private home in which care is provided at any time on a 24-hour basis or for any part thereof, for one or more children under 18 years of age, unattended by parents or guardian and not related to the foster parents by blood or marriage, and for whom board is paid by a public or private agency or by parents, relatives or other persons or by insurance payments.

A **foster family day care home** (boarding home for day care) is one in which care is given for one or more children during the day only and who are returned to their own homes at night.

An **intermediate foster family boarding home** is one where the facilities of the home are available at all times for children in need of immediate placement for a temporary period.

The foster parents in an intermediate home receive a regular payment and may in addition be paid board for each child under care, in return for making their services available at all times.

A **free foster family home** is the same as a boarding home except that no board is paid for the care of the child. The foster parents agree with the person or agency placing the child that they will be responsible for his care without payment of board.

A **work home** is a foster family home in which a child is placed with an agreement that he is to perform certain duties or tasks in return for his board.

A **wage home** is a foster family home in which a child is placed with an agreement that he is to be paid a regular and definite amount in return for his services.

A group care home is a family home which cares for more than four unrelated children and less than fifteen for the entire twenty-four hour period of a day. Such a home may or may not care for the children seven days a week, and board may or may not be paid.

Section I

Licensing Foster Family Homes

The following minimum standards must be met if a home is to be licensed as a foster family home that cares for children:

I. The Foster Family Home

A. The foster family home shall be in a location offering wholesome influences and where services shall be accessible in accordance with the needs of the child.

B. A foster family home shall be safe, with adequate space, light, heat, ventilation, screening and sanitary toilet facilities; be reasonably free of fire hazards, and shall conform to the sanitary laws and ordinances of the state, county, city or town in which it is located.

C. Milk and water supplies shall have the approval of the local health department.

D. There shall be sufficient space to provide for rest and privacy for the child. Grouping and sleeping arrangements shall take into consideration age and sex of children.

E. Outdoor and indoor play space shall be available and safe to the life and health of children.

II. The Foster Family

A. All members of the household must be in such physical and mental health as will not affect adversely either the health of the child or the quality and manner of his care. The family shall be willing to have this fact verified and to arrange for any required medical examination.

B. Relationships among members of the foster family shall be such that a wholesome atmosphere for the child will be assured. All members of the household shall be able to accept the child into the home as a member of the family group.

C. The foster parents shall be of suitable age and temperament to care for children; shall have knowledge of the needs of children; shall be capable of handling an emergency situation promptly and intelligently; and shall be willing to cooperate fully with the child's own parents and/or the supervising agency.

D. The foster family shall be composed of a father and mother with both parents mutually interested in caring for children. The home of widowed, divorced or single women shall be considered only on the basis of their special qualifications in relation to each individual child and his needs.

E. There shall be no adult roomers in the home without the knowledge and approval of the licensing agency.

F. The income shall be reasonably secure and not wholly dependent upon the board payments received for the child.

G. Infants and young children shall never be left without competent adult supervision.

H. A home shall not be licensed in which any member of the household is mentally ill or on convalescent status from a mental hospital without consultation with the proper authorities of the hospital.

I. A home shall not be licensed in which any member of the household is an inmate of a penal or correctional institution or on parole or probation without consultation with the proper probation and parole authorities.

III. Care of the Foster Child

A. The daily routine shall be planned to promote the development of good health habits. Provision shall be made for indoor and outdoor play, rest and sleep.

B. Each child shall be provided with an individual towel, comb and toothbrush. Space for a child's own clothing, toys, etc., shall be provided.

C. Foster parents must be willing to be responsible for the child's health and to see that proper medical care is available.

D. In case of sickness or accident to a child, immediate notice shall be given to the person or agency who placed the child; in the meantime adequate medical care shall be provided.

E. Boys and girls over five years of age shall not sleep in the same room.

F. The daily diet shall be varied, adequate and wholesome. Food for infants shall be provided under the direction of a physician, clinic or health department.

G. School attendance shall be provided for in accordance with the ability and in the best interest of the child. Household or farm tasks and work shall not interfere with schooling.

H. The foster parents shall give guidance and control which is conducive to good mental, emotional, spiritual and social adjustment. Severe or harsh punishment shall never be used.

I. Religious education and attendance at religious services shall be in accordance with the religious affiliation or expressed wishes of the parent or agency responsible for the child's care.

J. Tasks assigned shall be appropriate to the age and abilities of the child, in line with duties assigned to each child in the family, and assigned with a view to training in skills and attitudes and in proper assumption of personal responsibility.

IV. Records Required

A. Each person in charge of a foster family home (except in adoption homes) shall keep a record of the child's name, birth date, and the date of his acceptance and discharge.

B. If the child is placed directly by parents, relatives or others and there is no supervising agency, the following information shall also be recorded:

Name, address and telephone number of person who placed the child.

Name, address and telephone number of parents or relatives.

Places and hours of employment of parents or relatives.

Instructions for reaching the parents or relatives.

Name, address and telephone number of another person who might be reached in case of emergency.

Name, address and telephone number of the family physician.

The boarding agreement with the parents, relatives or others including the rate of pay for care.

V. Licensing

A. Requirements

1. Each foster family home shall be studied by a duly qualified representative of the Department of Public Welfare, or by a licensed child placing agency.

2. The license shall be renewed annually.

3. No foster family home may be licensed for more than four (4) children, except (1) when it is desirable for brothers and sisters of one family to be kept together, or (2) when some special need exists, or (3) when the license includes emergency care for children.

4. The license applies only to the residence at the time the approval for license is given and a change of residence automatically cancels the license. It is necessary for a new license to be issued in order to continue to care for children. The family should notify the State Department of Public Welfare, or the county welfare department, or other agency for whom children are being cared, of the change of residence prior to the change. No additional fee is required for a change of license within the year for which the original license was issued.

5. The foster family home may not care for more children than the number given on the license. If additional rooms become available or other changes indicate an increase in the license, the county department or other child placing agency may request the State Department of Public Welfare to increase the number of children to be cared for in the home.

6. Any changes in the condition of the foster family home which affect the best interest of children under care shall be reported immediately to the county department of public welfare or to the agency for whom the children are being boarded.

B. Application for License

1. An application form supplied by the Department of Public Welfare shall be used for all foster family homes. The foster parents' signed application must be on file in the State Department before a license can be issued and shall be signed after the home study is made and a recommendation for license is indicated.

2. A fee of five dollars (\$5.00) for the license shall accompany the application.

C. The Licensing Procedure

1. Each application to conduct a foster home will be studied either by a representative of the Department of Public Welfare or a licensed child placing agency. The agency making the study will send to the State Department of Public Welfare the signed application including the recommendation of the agency and the license fee of \$5.00.

2. Some definite action shall be taken on every application for a license.

3. A license shall be issued or denied on a basis of a review of a home study report and recommendation sent to the State Department by a county department of public welfare or upon the recommendation of a licensed child placing agency.

4. The license which states the kind of foster family home care, the number of children to be cared for at one time and the date on which the license will expire will be mailed directly to the foster family by the State Department. At the same time notification that the license has been issued will be sent to the county department or the child placing agency recommending the license.

D. License

1. The license is not transferable.

2. The license is valid for one year from the date issued and only if the foster parents remain at their same location.

3. Kinds of Licenses

a. **Standard License** is issued when a foster family home meets the rules and regulations for licensing foster family homes and the recommendation for license is restricted to no more than four unrelated children.

b. **Provisional License** may be issued when a home is meeting a real need but does not temporarily meet the rules and regulations of the Department. "Temporarily" implies that the condition can be corrected. When such a license is in effect, the conditions which made it necessary should be corrected.

c. **Special License** is issued when a foster family home is recommended for use of more than four unrelated children; when the home meets some special need; or when the home is licensed to include provisions for emergency care of children. In every instance each license will specify the maximum number of children to be cared for at any given time.

E. Renewal of a License

A license to care for children must be renewed annually. This renewal will depend upon a yearly report sent to the State Department by the county department or a licensed child placing agency, which shall give an account of the development and use of the foster home during the past year and shall be sent to the State Department a month before the expiration of the license. If, upon the review of the evaluation in the State Department the home meets the rules and regulations for licensing, the license will be renewed upon receipt of annual fee.

F. Denial of a License

The Department of Public Welfare may refuse to issue a license to operate a foster family home if the conditions in the home are such that the rules and regulations relating to standards of foster family homes cannot be met and it would be detrimental to the welfare of children to be placed or kept in the home. This refusal is termed a denial. Any child placing agency recommending a denial of a license must send in writing specific examples to the State Department of the way in which the home fails to meet the rules and regulations. The family will be notified in writ-

ing by the State Department of the denial and the grounds for the action. It will be effective immediately on the date of notification.

G. Revocation of License

A license to care for children may be revoked by the State Department of Public Welfare if the foster family fails to maintain proper standards of care and service to children. The county departments or child placing agencies should send to the State Department at any time, information including specific examples which might indicate that the regulations have been violated.

H. Appeal and Decision

Any family who has received notice of denial or revocation of license may protest such action within thirty days of receipt of notification. The protest must be in writing and addressed to the Director of the State Department of Public Welfare. A hearing will be arranged by the Director and a decision based on the information presented at the hearing will be made.

I. Termination of License

A foster family license is terminated when:

1. One year has elapsed since the date of issue.
2. A foster family moves to a new location during the current license year and fails to apply for a change in license.
3. A family voluntarily returns an active license to the department for cancellation, either directly or through an agency. (The fee will not be returned.)

J. Confidentiality of Records and Penalties

"No officer, agent or employee of the Department of Public Welfare or Child Welfare Agency (or foster family home) shall directly or indirectly disclose information learned about the children, their parents, or relatives or other persons having custody or control of them."

"Any person and any officer, agent or employee of the Department of Public Welfare or a Child Welfare Agency who violates any of the provisions of this act, or who shall intentionally make any false statement to the Department of Public Welfare shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the Court."

Section II

Licensing Child Caring Institutions

I. Organization and Administration

A. Purpose

The purpose or function of the institution shall be clearly defined. Such definition shall include the purpose, scope of service to be provided, intake policy specifying age, sex, type of children to be accepted for care, auspices and geographical area to be served.

B. Need

The institution shall meet a demonstrated need in the geographical area it will serve.

C. Organization**1. Board**

a. The governing board shall be organized and shall function according to its constitution and bylaws.

b. Board members shall serve without salary.

c. A meeting of the governing board shall be held at least once each year at the institution. Other meetings shall be held as often as is necessary to carry on the business of the institution.

2. Finance

a. The institution shall have a sound plan of financing which assures adequate funds to carry out its defined purpose and to provide proper care for children.

b. A new institution shall have sufficient funds to finance its first year of operation.

c. All institutions shall make and prepare a budget each year showing anticipated income and expenditures.

d. All accounts shall be audited at least annually by a certified or approved accountant and the report made a part of the agency record.

D. Administration

1. A qualified director or executive appointed by the board, shall be responsible to the board for the administration of the institution.

2. In each institution there shall be someone to whom responsibility is delegated in the absence of the Executive.

3. Sufficient administrative staff shall be provided to properly carry out the work of the institution as defined by its purpose and according to its needs.

4. All members of the staff shall have a medical examination at the time of employment and at least annually thereafter.

II. Building and Equipment

A. Buildings shall be suitably equipped and maintained for the purpose used and shall be kept in good repair, in safe and sanitary condition and free from fire hazards.

B. There shall be annual inspection and compliance with the recommendations made by such health authorities who are required or permitted to inspect and enforce health and sanitation regulations.

C. There shall be adequate facilities for proper heating during the winter months. If the sleeping quarters are unheated, warm dressing rooms shall be provided.

D. Sleeping rooms for children shall be suitable and comfortably furnished with beds at least two feet apart. The rooms shall be of sufficient size for the number of occupants, with outside window exposure or auxiliary means of ventilation, and a minimum of 500 cu. ft. of air space per child. Double decker beds shall not be used.

E. There shall be a bed for each child with good level springs and mattress fully long enough to accommodate the child. Sufficient covering for health and comfort and adequate linens shall be provided.

F. Children shall not sleep in the bed with adults.

G. There shall be one lavatory with hot and cold water for every six children, a tub or shower and one indoor flush toilet in separate compartments for each eight children. Separate toilet and bath facilities shall be provided for girls and boys over six years of age.

H. Personal effects, including towels, wash cloths, toothbrushes, combs and other toilet articles shall be individually supplied for each child's use.

I. Provision shall be made for space and suitable equipment for both indoor and outdoor recreation activities.

J. Residential staff shall be provided with convenient, attractive and comfortable living quarters, and shall have sleeping and bathroom facilities separate from the children.

III. Service to Children

A. Clothing

Each child shall be provided with his own clothing and shoes individually selected and properly fitted. It shall be appropriate to the season and comparable to that worn by other children in the community.

B. Personal Needs

1. Tasks assigned shall be appropriate to the age and abilities of the child and assigned with a view to training in skills and attitudes and in proper assumption of personal responsibility.

2. Discipline that will contribute best to the growth and development of the child shall be emphasized. Harsh and unnecessary punishment shall not be permitted.

3. Unless a child has been permanently removed from the custody of his own family, every effort shall be made to strengthen family relationships and to help parents make a responsible plan for the permanent care of their children.

4. Each child shall have a place to keep his own personal effects (toys, books, pictures, etc.) as well as clothing.

5. Provision shall be made for children to participate in appropriate community activities.

C. Health

1. Nutrition

a. Nourishing food, with appropriate nutritional content to meet the needs of children, shall be regularly provided. It shall be served in a manner and atmosphere that will provide and encourage growth and development in children. Adults shall be present in the preparation and serving of the meals.

b. Menus shall be submitted for analysis by a qualified nutritionist or dietitian when indicated.

c. Three meals per day shall be provided. The same menu shall be provided for staff and children with the exception of the beverage.

2. Medical Care

a. There shall be adequate provision for medical care, with a medical doctor available at all times, and the general health program under the direction of one specific doctor.

b. Except in an emergency, no child shall be admitted to an institution without a recorded medical examination stating that the child is free from communicable disease and specifying any physical defects the child might have.

c. There shall be appropriate inoculations and all recommendations with respect to treatment of illness and correction of defects shall be carried out promptly.

d. Annual health examinations shall be provided for each child except those under three years of age who shall have an examination every six months.

3. Hospitalization

a. The institution shall make provision and establish procedures for hospitalization when needed for children under its care.

4. Nursing Care

a. Each member of the child-caring staff shall be able to recognize the common symptoms of illnesses of children and to note any obvious physical defects. The child care staff shall be able to provide practical nursing care.

b. Nursing services shall be provided as recommended by the attending physician.

5. First Aid

a. At least one of the child-caring staff shall be properly trained in modern methods of first aid and available at all times to administer first aid.

6. Personal Hygiene

Instructions in personal hygiene for all children shall be provided.

7. Dental Care

Each institution shall have a specific plan of dental care and dental health which shall be consistently followed.

8. Health Records

A continuous medical record reflecting the growth and development of the child, illnesses, treatments, inoculations, dental care, etc., shall be kept on each child.

D. Academic and Vocational Training

Each institution shall be responsible for providing opportunity for academic training in accordance with the abilities and needs of the children and vocational training within the scope of its facilities.

E. Recreation

The institution shall provide opportunity for a constructive recreation program under good leadership.

F. Program of Services

1. Admissions

a. Intake policies shall be clearly defined, and admission shall be in keeping with the intake policies and limited to those children who fall within the scope of its purpose.

b. Decisions for admissions shall be based upon a recorded study of the total situation of the needs of the child and his family which shall be made prior to the admission of the child to the institution and shall include information which will enable a careful analysis of each situation. If emer-

gency care must be given, the study shall be made immediately upon the reception of the child.

c. Decisions regarding admissions shall be the responsibility either of the Executive, the Caseworker or a Case Committee, and shall be limited to those persons to whom this responsibility is assigned.

2. Continuing Services

The institution shall provide a well rounded program of care for children that is directed toward development of independent, responsible, happy individuals.

3. Discharge and After Care

a. Careful evaluation shall be made periodically in order to determine when and if a child can be returned to his own home, placed in a foster home or with relatives, or transferred to another institution better suited to his needs.

b. Preparation shall be given to the child when discharged plans are made for him.

c. The institution shall make provisions for keeping in touch with the child through its own staff or that of another agency until he is settled in the new situation.

4. Foster Home Care

Before placing children in foster family homes, an institution must secure a license which authorizes it to provide foster family home care and it must meet the rules and regulations of the State Department of Public Welfare relating to Child placing agencies. To be licensed to make foster family home placements or adoptions an institution must employ its own trained casework staff.

5. Records

Every institution shall maintain a confidential case record for each child containing:

- a. Application for service.
- b. A study of the family including a statement regarding custody and legal responsibility for the child.
- c. A verification of birth.
- d. Medical consent signed by parent or guardian.
- e. Reports on medical care, inoculations and dental care, also psychological and psychiatric reports, if any.
- f. Current record on the child's progress in the institution and relationships with the family while the child is under care.
- g. Discharge information and plan for return to the community.
- h. If foster home care has been given, a full record of the foster family, and of the child in foster care shall be provided.

IV. Reports

The following reports shall be submitted to the State Department of Public Welfare by each institution annually:

- A. An annual financial report.
- B. An estimated budget for the current fiscal year.
- C. A current list of board members and committees.
- D. The number and classification of current staff.

E. A copy of its most recent annual report of children served and service provided.

F. A report of any major changes in program or facilities planned for the coming year.

G. If a provisional license had been given, a statement showing whether the requirements on which the provisional license was based have been met, or if not, plans for meeting them.

H. A statistical report, made on forms furnished by the State Department of Public Welfare for that purpose.

V. Licensing

A. Inquiries

1. Requests for information regarding a license for a child caring institution shall be sent to the Director of the State Department of Public Welfare, who will send a copy of the law and rules and regulations governing the type of agency being considered. Consultation will be available upon request.

2. If an agency, organization or institution is already in operation, a visit will be made by a representative of the Department as soon as it is possible.

B. Application for License

1. All applications for licenses are made on forms prescribed and furnished by the State Department of Public Welfare.

2. An explanation of the rules and regulations relating to licensing of child caring institutions will be given to the responsible individuals upon application.

C. Fees

The annual licensing fee of five dollars, as determined by law, shall be sent to the State Department of Public Welfare with the original application and with each renewal application for a license.

D. Procedure for Licensing

1. With the initial application for a license the following information should be sent to the State Department of Public Welfare.

a. Evidence of need for the type of service given (or planned, in the case of a new institution).

b. A copy of the charter or law establishing the institution.

c. A copy of the constitution and bylaws, if the institution has these.

d. A statement of the purpose, scope of service to be provided, intake policy specifying age, sex, type of children to be accepted for care, and area of the state in which it plans to operate.

e. A list of officers and board members and other pertinent information regarding its organization which will show who has responsibility for policy making and administration.

f. A financial statement showing assets, estimated income and sources thereof, and estimated expenditures for the past year. (For a new institution, the estimated expenditures for the first year should be given.)

g. Number of classification of staff. (For a new institution give plans for staff.)

h. The number of buildings and a statement regarding the general condition of the facilities.

2. As soon as possible after the receipt of the application for a license, a representative of the State Department of Public Welfare will visit the institution or agency and will secure information on which to evaluate the program in relation to licensing standards.

3. If the institution operates a foster home program in addition to care of children in the institution, it will be necessary to submit additional information as required for a license to operate a Child Placing Agency.

E. License

1. The terms of the license, the number, age and sex of children to be maintained will be stated in the license issued. It will also specify whether the institution is authorized to place children in foster family homes or in adoption.

2. A provisional license may be approved if a child caring institution meets a real need in the community and/or state, but is not able to conform to all the rules and regulations adopted by the State Department of Public Welfare relating to licensing standards. Explanations will be given verbally and in writing with the reasons why a provisional license is issued. A provisional license is limited by regulation and can be issued annually but not more than twice.

3. A license is effective for twelve months from the date of issuance.

4. The license shall be displayed at all times.

5. The institution shall not deviate from the provisions specified in the license issued.

F. Denial of License

An applicant will be notified by registered mail when his license is revoked or denied. A letter from the Director of the State Department of Public Welfare will explain why the application has been denied and a visit will also be made when indicated. Any child caring institution whose application is denied may request a hearing within thirty days of the receipt of the letter. The applicant shall be notified at least two weeks prior to the date set by the Department for the hearing by personal service, or by registered mail.

G. Appeal

Any institution dissatisfied with any action on the part of the Department may appeal such action within thirty days of notification. The appeal must be made in writing to the Director of the State Department of Public Welfare. A hearing shall be arranged by the Director and a decision based on the information presented at the hearing will be made.

H. Termination of License

1. Expiration of License

a. All licenses expire automatically at the end of twelve months from the date of the issuance of the license unless renewed or cancelled prior to that date.

2. Cancellation of License

a. Change of location automatically cancels a license. The building, equipment and facilities are important factors in issuing the license and any significant change in these requires that the license be reissued.

b. A new license is necessary if a child-caring institution wished to become a child placement agency or a placement agency becomes or starts an institution, when such provision was not covered by the original license. Extension of age limits of children accepted will require a new license.

I. Renewal of License

1. An application for the renewal of a license should be made annually on forms supplied by the State Department of Public Welfare.

2. Renewal of license will be based on a review of the material submitted and a visit by a representative of the Department to the agency or institution. The material to accompany the renewal application is:

- a. A copy of its most recent financial statement.
- b. An estimated budget for its current fiscal year.
- c. A current list of board members and committees.
- d. The number and classification of current staff.
- e. A copy of its most recent annual report of children served and services provided.
- f. A report of any major changes in program or facilities planned for the coming year.
- g. If the expiring license was provisional, a statement showing whether the requirements on which the provisional license was based have been met, or if not, plans for meeting them.

J. Revocation of License

The State Department of Public Welfare "may revoke the license of any child welfare agency which fails to maintain the proper standards of care and service to children in its charge or which violates any provision of this Act." Such revocation may be made only after the State Department has given thirty days' notice to the institution setting forth the cause for revocation.

K. Penalties

"Any person and any officer, agent or employee of the Department of Public Welfare or of a Child Welfare Agency, who violates any of the provisions of this Act or who shall intentionally make any false statement to the Department of Public Welfare shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

Section III

Licensing A Child Placing Agency

I. Administration and Organization

A. Purpose

The purpose or function of the agency shall be clearly defined. Such definition shall include the purpose, scope of service to be provided, intake policy specifying age, sex, type of children to be accepted for care, auspices, and geographical area to be served.

B. Administrative structure

1. The child placing agency shall be controlled by a responsible board composed preferably of both men and women who are representative of the community served by the agency.

2. A qualified executive, appointed by the Board, shall be responsible to the Board for the administration of the agency.

3. There shall be adequate and sufficiently qualified staff to properly carry out the work of the agency as defined by its purpose and according to its needs.

C. Finances

1. The agency shall have a sound plan of financing which assures adequate funds to carry out its defined purpose and to provide proper care for children.

2. All agencies shall make and prepare a budget each year showing anticipated income and expenditures.

3. All accounts shall be audited at least annually by a certified or approved accountant and the report made a part of the agency records.

II. Services to Children

A. Acceptance for Care

1. Every effort possible shall be made to preserve any family ties that hold meaning and value for a child. No child shall be removed from his home because of poverty alone.

2. Before separation of a child from his home or family, the agency shall make a complete study of the child's situation in the family and the problems that make placement seem necessary.

B. Placement and Supervision

1. Children should be placed only in homes within a geographical area in which it is possible for the agency to give or secure supervision when needed.

2. Children of the same family shall be kept together when possible unless it has been determined that this is not desirable.

3. Selection of a foster family home or group care in an institution for a particular child shall be based upon consideration of the individual's total needs (health, educational, religious, recreational, social and emotional) and how well the particular type of care can meet the child's needs.

4. Unless a child has been permanently removed from the custody of his own family, or the placement is in an adoptive home, every effort shall be made to strengthen family relationships and to help parents make a responsible plan for the permanent care of their children.

5. All children under care of a child placing agency shall be provided opportunities for academic training in accordance with the abilities and needs of the children, and vocational training according to the resources of the agency.

6. Visits to a child in a foster home shall be made no less than one every three months.

7. Foster homes used by the agency shall conform to the standards for foster family care as adopted by the State Department of Public Welfare.

C. Medical Care

1. The agency shall provide needed preventive and remedial medical care for each child.

2. The agency shall secure authorization for medical care from parents or legal guardians.

3. Before adoption placement is planned for an infant, a report from the obstetrician delivering the child shall be obtained.

D. Termination of Care

Termination of care by the agency shall be made on an individual basis. In an adoption placement, care shall be terminated by the granting of the adoption by the court.

III. Records and Reports

A. The agency shall keep adequate case records of each child and family.

B. Separate records shall be kept for each foster home studied and used by the agency, and shall include periodic evaluation of the home.

C. Financial records shall be kept current showing amount and sources of income and the nature of expenditures.

D. Copies of current policies and procedures in adoption shall be available, if this is a service of the agency.

E. Statistical records of the whereabouts and numbers of children under care shall be available.

IV. Additional Requirements in Adoption Service

A. Service to Natural Parents

1. The agency shall provide services to natural parents, including counseling and referral to other agencies when needed, and shall see that parents get help in thinking through and making the best plan for the child.

2. A study shall be made of the history and family background of each parent.

B. Acceptance of Relinquishments of Children

1. The agency shall accept a relinquishment of a child for adoption only after a thorough study has been made to determine:

a. That the parents have decided to surrender him with the full knowledge that all parental rights will be permanently severed with the surrender, full awareness of all the implications, and with knowledge of other resources available to them.

b. That adoption is for the child's best interest.

c. That the child is legally free for adoption.

2. When the agency accepts relinquishment of a child from a parent, the agency shall assume full responsibility for the child, its care and support, relieving the parents of future responsibility.

3. No relinquishment shall be accepted before the child is born.

C. Selection of Adoptive Home, Placement and Supervision

1. The agency shall place special emphasis on the study of the individual child, and his needs in order to select the home that will offer the best potentialities for his full development.

2. The placement of a child for adoption shall be contingent upon a thorough study of the prospective parents to determine their fitness as parents and the suitability of their home for the particular child.

3. The selection of a home for the placement of a child shall be made entirely on the basis of serving the best interest of the child.

4. There shall be a supervised interim period of one year between the placement and the final adoption; except in the case of relative or step-parent adoptions. In no instance shall there be less than one supervisory visit each quarter.

V. Licensing

A. Application

1. Application for a license shall be made on a form furnished by the State Department of Public Welfare. Every child placing agency shall obtain an annual license to assume the care, custody and control of one or more children, and an evaluation shall be made by the State Department of Public Welfare of the standards and practices of each child placing agency applying for a license before one shall be issued. The following information shall be submitted with each application for a license to operate a child placing agency:

- a. Evidence of need for the type of service planned.
- b. A copy of the charter or the law establishing the agency; also constitution and bylaws; if the agency has these.
- c. A statement of purpose, scope of services to be provided, intake policy specifying age, sex, type of children to be accepted for care, and area in the state in which it intends to operate.
- d. A list of officers and board members and other pertinent information regarding its organization which will show who has responsibility for policy making and administration.
- e. A statement of sponsorship and financial support.
- f. Number, classification, and plans for Staff.
- g. Current policies in relation to placement of children. (A new agency will give a statement of its plan in relation to placement of children.)

2. Every child placing agency shall file with the State Department of Public Welfare an application for a license for each foster family home approved by the agency and shall also be responsible for renewing such license annually.

B. Fee

An annual license fee of five dollars, as determined by law, shall be paid by the agency at the time its license is approved. The agency shall also be responsible for sending the license fee of five dollars for each foster family home at the time the agency's recommendation for approval of license is sent to the State Department.

C. License

1. A license is valid for twelve months from the date it is issued and must be issued annually.

2. The license must be displayed at all times.

3. The agency shall not deviate from the provisions specified in the license issued.

4. A license may be revoked by the Department for due cause, but only after 30 days' notice has been given to the agency setting forth the cause for revocation.

D. Appeal

Any agency dissatisfied with any action on the part of the Department may appeal the decision of the Department. The appeal must be made in writing to the Director within thirty (30) days of receipt of notification.

VI. Confidentiality of Records and Penalty

A. No officer, agent or employee of the Department of Public Welfare or Child Placing Agency or foster family home shall directly or indirectly disclose information about the children, their parents or relatives or other persons having custody or control of them.

B. "Any person and any officer, agent or employee of the Department of Public Welfare or of a child welfare agency who violates any of the provisions of this Act, or who shall intentionally make any false statement to the Department of Public Welfare, shall upon conviction thereof, be punished by a fine of not more than one hundred dollars (\$100.00), or by imprisonment for not more than one year, or by both such fine and imprisonment, in the discretion of the Court."

TAX COMMISSION

Promulgated under authority of Section 4-6, Code of Laws of
South Carolina, 1952

Alcoholic Liquors

(Filed in the office of the Secretary of State October 6, 1958)

REGULATION NO. 23

No person shall be employed as a Clerk, with or without compensation, in any retail liquor store unless such person is the holder of a permit issued by the Tax Commission. Such permits will be issued to suitable persons, free of charge, upon application therefor and will continue in effect until suspended or revoked by the Tax Commission.

Such permits shall authorize the holder thereof to act as Clerk only at the retail outlet specified thereon and must be posted in a conspicuous place inside retail liquor stores.

After the effective date hereof, any violation of the foregoing shall constitute grounds for the suspension or revocation of any license issued to a retail liquor dealer.

Beer and Wine

(Filed in the office of the Secretary of State October 28, 1958)

REGULATION NO. 5

Retail dealers who are holders of permits to sell beer for consumption off the premises are hereby prohibited from having chilled beer on the premises of their establishment.

After the effective date hereof, a violation of the foregoing shall be grounds for the suspension or revocation of any such permit.

Sales and Use Tax

(Filed in the office of the Secretary of State January 9, 1959)

Regulation No. 11, promulgated and adopted under the authority granted The South Carolina Tax Commission in Section 65-1443, Code of Laws 1952 and Acts Amendatory Thereto (formerly Section 28, Subarticle V, Sales and Use Tax Law of 1951) and filed with the Secretary of State's office on July 13, 1951, is hereby revoked, effective January 31, 1959.

(Filed in the office of the Secretary of State May 28, 1959)

Regulation No. 3, promulgated and adopted under the authority granted The South Carolina Tax Commission in Section 65-1443, Code of Laws 1952 and Acts Amendatory Thereto (formerly Section 28, Subarticle V, Sales and Use Tax Law of 1951) and filed with the Secretary of State's office on June 30, 1951, is hereby revoked, effective June 30, 1959.

(Filed in the office of the Secretary of State May 28, 1959)

Regulation No. 17, promulgated and adopted under the authority granted The South Carolina Tax Commission in Section 65-1443, Code of Laws 1952 and Acts Amendatory Thereto (formerly Section 28, Subarticle V, Sales and Use Tax Law of 1951) and filed with the Secretary of State's office on June 30, 1951, is hereby revoked, effective June 30, 1959.

Coin Operated Devices**LICENSE TAX DIVISION REGULATION NO. 6**

Promulgated under authority of Section 5-677, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State June 29, 1959)

Every person applying for a license under the provisions of Section 5-660, Code of Laws of South Carolina, 1952, as amended, shall, in making application for such license, specify the serial number, the manufacturer's name, the model number and classification, of each machine to be licensed. All machines subject to the provisions of Section 5-660 must have a permanently attached identifying serial number visible on the outside of such machine. This number shall be the manufacturer's serial number if such serial number is visible on the outside and if such serial number is not visible on the outside, then and in that event, a permanently attached identifying serial number must be assigned and affixed to every such machine.

WATER POLLUTION CONTROL AUTHORITY

Promulgated under authority of Sections 70-101 through 70-139,
Code of Laws of South Carolina, 1952

(Filed in the office of the Secretary of State July 7, 1958)

Disposal Systems and Hearings

The following supersedes the rules and regulations filed with the Secretary of State's office October 27, 1950, page 855, Volume 7, Code of Laws of South Carolina, 1952:

1. Applications for permits and plans and specifications for (1) new disposal systems (2) alterations or additions to existing disposal systems (3) placing such new or altered system in operation (4) increasing the load on any receiving stream by added discharge through an existing system, shall be submitted to the combined Sanitary Engineering Division and Water Pollution Control Authority of the State Board of Health in accordance with existing regulations.

2. Public notice of all hearings set by the Authority shall be made by publication once each week for two consecutive weeks prior to the hearing date in a newspaper of general circulation in the county in which the waters under consideration are located. Where the waters under consideration are located in more than one county, then such hearing shall be held in the county selected by the Authority and such notice shall be published in a newspaper of general circulation in the area concerned. Where the matter under consideration is deemed by the Authority to be of State-wide significance, such public hearing shall be conducted at the place selected by the Authority and public notice thereof shall be published once each week for two consecutive weeks prior to the hearing date in daily newspapers of general circulation in the Cities of Charleston, Columbia, and Greenville, or such others as determined by the Authority.

3. Public hearing provided by the Water Pollution Control Act shall be conducted by a Hearing Examiner or Examiners, who shall be Members of the Authority or persons duly authorized by the Authority, in accordance with the Act. A record of the proceedings shall be taken, and a copy thereof, certified by the Hearing Examiner, shall be filed in the office of the Water Pollution Control Authority. All testimony shall be given under oath administered by the Hearing Examiner or any other competent and authorized party. All parties and persons interested may present printed, mimeographed or typewritten briefs, and may make oral arguments in the discretion of the Hearing Examiner.

4. The Hearing Examiner shall within 30 days after hearing make a report of his findings and recommendations to the Water Pollution Control Authority for disposition of the matter under consideration. The report shall be accompanied by a transcript of testimony taken, together with exhibits, and a summary of relevant information from and results of stream examinations conducted by the technical staff of the Authority. The Authority will within 30 days after receipt of the Hearing Examiner's report make such determination and order in the matter as is necessary,

which order shall be filed for public record in the office of the Water Pollution Control Authority. Copies thereof shall be mailed upon request to all parties or persons interested, and a copy of such order shall be served, by registered mail or by personal service, upon all persons or parties sought to be bound thereby. Where public hearings are held in connection with a meeting of the Authority, or are conducted by the Authority as a whole, decisions thereon shall be rendered within 60 days from the date of hearing, and an order thereon shall be filed in accordance herewith.

5. Appeals from final orders of the Authority shall be made within 30 days from the date of the filing of such order, in accordance with Section 6 of the Water Pollution Control Act.

6. Any person or persons, who shall desire a hearing or rehearing on any matter within the jurisdiction and control of the Water Pollution Control Authority, shall make a written request therefor directed to the Executive Director of the Authority, setting forth in concise form the specific questions sought to be considered and the reasons for such hearing or rehearing. Such requests shall be considered by the Authority at the next regular meeting following receipt of the request, and the Authority may in its sole discretion grant such hearing or rehearing.

Stream Classifications

(Filed in the office of the Secretary of State January 23, 1959)

(The public hearing as required by law prior to the classification of streams was held in Chester, South Carolina, October 31, 1958.)

Fishing Creek (Chester County)	From its headwaters to a point where S. C. Highway No. 72 crosses Fishing Creek, Class C; from this point to the Lando water intake, Class B; from this point to its junction with the Catawba River, Class C.
Tinkers Creek (Chester County)	The entire reaches of this stream within Chester County, Class A.
Rocky Creek (Chester County)	The entire reaches of this stream (including Little Rocky Creek) within Chester County, Class A.
Grassy Run Branch (Chester County)	The entire reaches of this stream within Chester County, Class C.
Bull Run Branch (Chester County)	The entire reaches of this stream within Chester County, Class A.
Turkey Creek (Chester County)	The entire reaches of this stream within Chester County, Class C.

Sandy River
(Chester County)

From its headwaters through the raw water reservoir for the City of Chester, Class A; from this point to a point one hundred (100) yards above its confluence with Bear Creek, Class C; from this point to its junction with Broad River, Class A.

Little Sandy River
(Chester County)

The entire reaches of this stream within Chester County, Class A.

Dry Fork Branch
(Chester County)

The entire reaches of this stream within Chester County, Class C.

All tributaries to the streams in Chester County, classified by the South Carolina Water Pollution Control Authority on January 15, 1959, unless otherwise indicated herein, shall have the same classification as that applied to main stream at the point of junction of the tributary with the main stream.

(Filed in the office of the Secretary of State April 30, 1959)

(The public hearing as required by law prior to the classification of streams was held in Gaffney, South Carolina, July 30, 1958, with a subsequent hearing in Gaffney, South Carolina, December 18, 1958.)

This action is based on finding of facts by appropriate surveys and tests of the South Carolina Water Pollution Control Authority demonstrating existing conditions within Beaverdam Creek (also known as Irene Creek).

Beaverdam Creek
(Also known as Irene Creek) (Cherokee County)
(Cherokee County)

The entire reaches of this stream within Cherokee County, Class Ca.

(This supersedes the classification of Beaverdam Creek (also known as Irene Creek) in Cherokee County, adopted February 19, 1953, and filed with the Secretary of State on February 24, 1953.)

(Filed in the office of the Secretary of State June 26, 1959)

(The public hearing as required by law prior to the classification of streams was held in York, South Carolina, May 22, 1959.)

This action is based on finding of facts as stated in the transcript of public hearing held by the South Carolina Water Pollution Control Authority in York, South Carolina, on May 22, 1959.

Fishing Creek
(York County)

All of Fishing Creek and its tributaries, with the exception of Wildcat Creek, from its headwaters to S. C. Highway No. 72 (Rock Hill-Chester Highway), Class A.

(This supersedes the classification of Fishing Creek in York County, adopted October 28, 1953, and filed with the Secretary of State on November 3, 1953.)

WILDLIFE RESOURCES COMMISSION

Promulgated under authority of Section 28-174, Code of Laws of
South Carolina, 1952

(Filed in the office of the Secretary of State August 18, 1958)

The following rule and regulation was adopted to construe the intent of Section 28-956, Code of Laws of South Carolina, 1952:

"It shall be unlawful for any person to transport any of the fish or fisheries products required by law to have the tax paid by tags or stamps affixed thereto unless such requirement shall have been complied with," and the tag or stamps so affixed be cancelled by writing thereon the date when so affixed plainly in ink or legible stamp. "Any person transporting any such products in violation of this section shall be guilty of a misdemeanor and punished by a fine of not less than five hundred dollars nor more than one thousand dollars or imprisonment of not less than six months nor more than twelve months."

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